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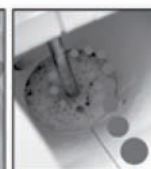
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contents

VOLUME 32 - NUMBER 02



FEATURES

- 20 MR./MS. CHANGE GOES TO WASHINGTON**
Candidates promise break from Bush, but how far will they go?
BY DAVID MOBERG
- 22 FIRST CAME KATRINA, THEN CAME HUD**
Activists battle to save New Orleans public housing
BY LEWIS WALLACE
- 24 KILLER CREDIT**
Attack of the \$915 billion consumer debt monster
BY ADAM DOSTER
- 29 EXTRAORDINARY RENDITION ON TRIAL**
ACLU tries to ground the Boeing subsidiary that trafficked in torture
BY CHRISTOPHER MORAFF
- 32 THE NEXT PRESIDENT'S IRAN DILEMMA**
Why undoing Bush's foreign policy won't be easy
BY CHRIS TOENSING
- 35 IN SEARCH OF LUMUMBA**
Congo's landscape of forgetting
BY CHRISTIAN PARENTI
- 38 WOMEN BEHIND BARS**
War on drugs leads to explosion of female incarceration
BY SILJA J.A. TALVI
- 40 WHERE IS THE DREAM?**
From antiwar activism to economic justice, black progressives face challenges in organizing
BY JAMES THINDWA

FRONTLINE

- 8 LABOR HITS JACKPOT**
Indian casino unionizes in Connecticut despite tribal claims of sovereignty
BY MELINDA TUHUS
- ALSO:**
–Outsourcing Zionism
–N.J. closes death row
–Day laborers sue Chicago
–Counterinsurgency in Chiapas
–Selling out Grandma
- 12 APPALL-O-METER**
BY DAVE MULCAHEY

VIEWS

- 14 BACK TALK**
The Jamie Lynn effect
BY SUSAN J. DOUGLAS
- 15 THE THIRD COAST**
Nas: Whose word is this?
BY SALIM MUWAKKIL
- 16 VIEWPOINT**
Musharraf's false dichotomy
BY AHMAD FARUQUI
- 17 DROPPIN' A DIME**
Fat kids, fat profits
BY LAURA S. WASHINGTON

CULTURE

- 54 TUPPERWARE AND TASERS**
Marketing a new household product to women
BY SILJA J.A. TALVI
- ALSO:**
–Portrait of the awkward artist
–Save the Dramatic Chipmunk
–Remembering Mazzocchi
- 45 HEALTH & SCIENCE**
Nanotech: Tiny particles, big risks
BY TERRY J. ALLEN
- 44 LATIN AMERICA BANKS ON INDEPENDENCE**
New Bank of the South shatters neoliberal economics
BY MARK ENGLER
- 46 IN PERSON**
Guatemala's 'crime of the century'
BY JACOB WHEELER

Pollsters and Puppets

For Sen. Hillary Clinton, Iowa and New Hampshire are chapters of a story that began at 10 G Street in Washington, D.C.

In October 2002, the Bush White House was preparing to march the country off to another war. In Congress, the Democrats, on the whole, dithered.

Should they or should they not support the president's Iraq war resolutions? Should they follow the road map prepared by Secretary of Defense Donald Rumsfeld's Office of Special Plans, accept the rationale promoted by the *Weekly Standard* neocons and believe the "evidence" supplied by the prevaricating Judith Miller of the *New York Times*?

To the rescue came Democracy Corps, a nonprofit organization "dedicated to making the government of the United States more responsive to the American people." (Translation: Making unprincipled politicians more responsive to the dubious science of political pollsters.) The group's founders included Clintonistas James Carville and Stan Greenberg, as well as Robert Shrum, who would infamously go on to mismanage Sen. John Kerry's 2004 campaign.

On Oct. 3, 2002, these number-crunchers warned Hill Democrats that their decision to support or oppose an Iraq war resolution would "take place in a setting where voters, by 10 points, [preferred] to vote for a member who supports a resolution to authorize force (50 to 40 percent)." The message was clear: Don't lead, follow the polls and support Bush's war.

Imagine what this Democratic presidential primary would look like had Clinton not pandered to public opinion (as misinterpreted by Democracy Corps), and had instead spoken out against Bush's warmongering. Imagine if Clinton, like then-state senator Barack Obama, had addressed antiwar rallies.

While some pundits downplay the war's role, it is clear Clinton's hawkishness opened the door for opponents like the senator from Illinois.

If Clinton—and Kerry and former Sen.

John Edwards and the 26 other Democratic Senators who endorsed Bush's war—had led rather than followed, the national media would have been forced to view the war as a Republican adventure (rather than a bipartisan crusade for democracy and against weapons of mass destruction). If there had been a meaningful opposition in Washington, rather than a clique of fearful, poll-driven opportunists, it is possible that this entire Iraq catastrophe could have been averted.

Fast forward five years. Bill Clinton in Hanover, N.H., describes Obama's opposition to the war as "the biggest fairytale I've ever seen." Hillary Clinton portrays Obama as a waf er for claiming the antiwar mantle without moving actively to defund the war. Certainly, this Senate has failed to effectively challenge Bush's Iraq policy, but every Democratic senator, Clinton included, shares responsibility for that failure.

Clinton claims that if she had better information in 2002—had she but known!—she would not have voted to go to war. Is ignorance an excuse for a woman as smart as Clinton? Did Rep. Dennis Kucinich have access to the special intelligence? As Congress took up the war resolutions, the press was full of reports that the White House claim that "you can't distinguish between al Qaeda and Saddam" was a crock of Bushit.

Prior to the invasion of Iraq, hundreds of thousands of Americans took to the streets. They didn't need a degree from Yale Law School to understand that Clinton, et al. had voted to support a war that was being waged on false premises. *In These Times* and its sister publications had been reporting that fact for months—as had mainstream press outlets like the Knight Ridder newspapers.

These days, the future looks brighter for the Democratic Party. But if the Dems are going to be agents of "change," the buzzword of the moment, they will need to exhibit real leadership rather than pander to opinion polls.

—Joel Bleifuss

IN THESE TIMES

"With liberty and justice for all..."

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mixed reaction

JUST THE FACTS



93 Percent of Iowa population that is white.

1 Percent of Iowa caucus votes received in 1972 by Rep. Shirley Chisholm, the first black woman and the only other female Democratic candidate to run in Iowa.

90 Percent of the road to equality that blacks have traveled, according to Barack Obama.

14:1 The ratio of blacks to whites in Iowa prisons—the highest discrepancy in the nation.

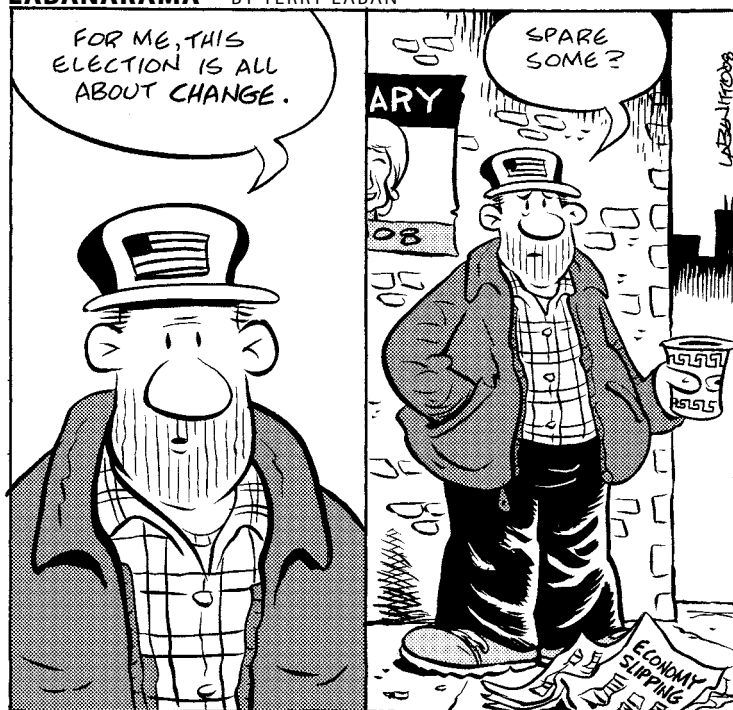
“

In order for us as poor and oppressed people to become part of a society that is meaningful, the system under which we now exist has to be radically changed ... It means facing a system that does not lend itself to your needs and devising means by which you change that system.

”

—ELLA BAKER, LATE CIVIL RIGHTS AND HUMAN RIGHTS ACTIVIST

LABANARAMA BY TERRY LABAN



QUID PRO QUO

THE QUID:

What with the swirling allegations that KBR/Halliburton threatened to fire a female employee if she left Iraq for medical treatment after being gang-raped by her fellow KBR workers, the execs at Vice President Dick Cheney's former employer must have been relieved when they learned that two of its ex-employees were merely being indicted for accepting bribes and defrauding the Pentagon out of \$2 million.

THE QUO:

The indictment alleges that Afghan truck drivers delivering fuel to Bagram Air Force Base made repeated cash payments over a five-month period during the summer of 2006 to James Sellman and Wallace Ward. In exchange, the two men—employed to fulfil KBR's charge of inspecting the fuel deliveries and verifying the quality, quantity and delivery of the fuel—forged documents that overstated the fuel quantities on the



receipts of deliveries at the base. And thus, nearly 800,000 gallons of fuel were magically disappeared.

letters



Seeing Green

I am a longtime supporter and subscriber to *In These Times*. I've been reading it for about 30 years.

Until this morning, *ITT* was in my will, allotted 10 percent of my estate, probably \$50,000—at least until the housing bubble bursts. It no longer is, and here's why: The sarcastic and gratuitous comment that Joel Bleifuss made about the Green Party (Letters, January 2008). The statement is not only wrong, but the tone of it was a total turn-off.

I've always respected *ITT*'s reporting, but I've been disenchanted with what I view as a naive editorial policy of supporting Democrats as the only option to voting Republican. I still respect your reporting, but I will be leaving my estate to groups whose vision for a better future is more aligned with mine.

Guy Benintendi
Via E-mail

It sickens me that a magazine such as *In These Times* would dismiss the validity of David McCorquodale's letter to the editor. The big wheels

of the Democratic Party have constantly pumped the message that to vote third party is to vote Republican. I see it differently. Who would you vote for: a pawn of the corporate elite or a critic of corporate power?

C'mon, Joel. Remember voting for someone you believed in? Remember what that felt like? Or do all activists turn into mellow mush-heads for the Democrats?

Joshua Hinnenkamp
Via E-mail

Until this morning, *ITT* was in my will, allotted 10 percent of my estate, probably \$50,000—at least until the housing bubble bursts. It no longer is.

I was sad to see David McCorquodale's letter explaining his reasons for ending his subscription, but even more dismayed by the response by Joel Bleifuss. If Bleifuss wants to continue to believe the myth that Nader and the Greens put George W. Bush in the White House, I'm sure there's nothing I could say that would change his mind.

However, like McCorquodale, I find it disturbing that *In These Times* continues to hold a misguided grudge against the Green Party and refuses to acknowledge a political movement that represents much of what the magazine purports to stand for.

I will, for now, continue my subscription of 27 years, but divisive comments like the one by Bleifuss doesn't make it easy to do so.

Keith West
Marinette, Wis.

I have been a subscriber to *In These Times* since its inception, and I will continue despite Joel Bleifuss' glib response to David McCorquodale's letter, claiming that the Green Party helped elect George W. Bush in 2000.

Without the Green Party telling it like it is in 2008, there will be little prospect of a progressive movement emerging from the margins of U.S. politics. Without the only peace, justice and clean energy party speaking to millions of the U.S.

electorate, eco-catastrophe from global warming becomes inevitable because the two war parties left by themselves will not stop it.

The complicity of the Democratic Party in allowing the Bush regime to get its way on virtually every issue should now be transparent to all.

David Schwartzman
Washington, D.C.

Shame on Joel Bleifuss for uncritically perpetuating the corporate-media myth about Ralph Nader the Spoiler in the 2000 presidential election!

Because *In These Times* is based in Chicago, we've been waiting since November 2006 for a feature article on the resounding success of Green gubernatorial candidate Rich Whitney in breaking the 5-percent barrier to make the Green Party a statutorily "established" party in Illinois. Now there are Green can-

didates in Illinois running for Congress in 2008.

Either of these developments would have made quite a story.

But now that *ITT* has revealed its misinformed prejudice about the Green Party, we can see that those reports aren't going to happen.

Please cancel our subscription.

Sarah C. Heyer and
Lee Hartman
Carbondale, Ill.

Your blaming the Greens (in part) for the Cheney-Bush 2000 coup d'état is doubly wrong.

How can Gore's party be let off the hook when he could not even carry his home state of Tennessee and when he failed to challenge the corrupt Supreme Court's partisan closure of a vote recount?

R.V. MacLeod
Porthill, Idaho

Appalled By Appall-O

Sorry friends, I have enjoyed *In These Times* for years and continue to, but perhaps if there's nothing truly appalling on Dave Mulcahey's radar, the column should be occasional, rather than regular.

If Dave Mulcahey can find nothing more appalling in the world than a woman nursing orphaned pups ("Appall-O-Meter," January 2008), then the world is in better shape than I imagined, or surmised from the rest of the magazine.

Happy New Year to all—you too, Dave.

Naomi Paz Greenberg
Via E-mail

contributors

Come On, Cosby!

I appreciate Salim Muwakkil's comments on Laura S. Washington's misguided support of Bill Cosby ("Come on Cosby, Stop Hatin,'" January 2008).

The problem of black America is that Ph.D.-educated multimillionaires don't do what they should to sustain a devastated community.

Cosby hasn't hooked up with Oprah, Magic, Sean Jean, Russell Simmons or Jay-Z to do squat.

If they were to pool even a small portion of their resources, they could employ thousands of people for years at a time and at meaningful wages that would let them become owners of the communities they reside in.

I think there is more work to be done at the top than at the bottom.

*Ulysses Blakeley
Chicago, Ill.*

Library Labor Fight

Akito Yoshikane's story about the privatization of Jackson County, Ore., public libraries is an issue that is far from over ("Public Libraries for Profit," December 2007).

In November, the SEIU representing Jackson County Employees filed a demand to bargain under the successorship doctrine, which holds that when a concern goes from union to non-union, and does the same kind of business with more than 50 percent of the same employees, the union retains bargaining rights but has to negotiate a new contract.

Library Systems and Services, the company brought in to manage the libraries, has refused the demand and SEIU has filed an Unfair Labor Practice against them.

*Buck Eichler
President, Jackson County
Employees SEIU 503*



ALICE KIM serves on the board of directors for the Campaign to End the Death Penalty and is co-editor of its national newsletter, *The New Abolitionist*. She is also the director of The Public Square at the Illinois Humanities Council.



CHRISTIAN PARENTI is a correspondent for *The Nation* and is author of *The Freedom: Shadows and Hallucinations in Occupied Iraq* (the New Press, 2004). His two previous books are *The Soft Cage: Surveillance in America from Slavery to the War on Terror*, (Basic Books, 2003) and *Lockdown America: Police and Prisons in the Age of Crisis*, (Verso, 2000).



EMILY UDELL is an itinerant journalist who has reported for the *Daily Southtown* newspaper in southwest Chicago, the Associated Press in Indianapolis and Radio Prague in the Czech Republic. She was co-host of ITT's radio show "Fire on the Prairie."

AHMAD FARUQUI is an economist based in the San Francisco Bay area who writes regularly in the Pakistani print media and is a frequent speaker on Pakistani politics in the United States. He is author of *Rethinking the National Security of Pakistan* (Ashgate Publishing, 2003).

CHRISTOPHER MORAFF is a frequent contributor to *In These Times*, *The American Prospect Online* and *Common Sense* magazine. He currently serves as a correspondent for the *Philadelphia Tribune* and is associate editor of *Monitor*, a finance magazine specializing in corporate fraud. He lives and works in Philadelphia.



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Gamblers play slot machines at Foxwoods Resort Casino in Mashantucket, Conn.

MARIO TAMAYO/GETTY IMAGES

Labor Hits Jackpot

Indian casino unionizes in Connecticut despite tribal claims of sovereignty

BY MELINDA TUHUS

Foxwoods Resort Casino rises from the hills of rural southeastern Connecticut like a gambler's Oz.

It is one of the country's biggest Indian casinos and it is the largest employer in the state, with 10,000 workers. Of those employees, about 2,600 are dealers of games such as poker and blackjack. And on Nov. 24, 2007, many of these dealers placed a bet on a better life with the United Auto Workers (UAW).

That's when 83 percent of workers eligible for the bargaining unit voted by a 60-40 percent margin to join the union.

It's the first election at an Indian casino to be overseen by the National Labor Relations Board (NLRB), which made a groundbreaking ruling last year that

allowed Indian casinos to be unionized. But casino management has appealed the vote, claiming it violates tribal sovereignty.

Mary Johnson, a union organizing committee member, began working at Foxwoods 14 years ago, not long after the Mashantucket Pequot tribe opened the casino in 1992.

She says that as a blackjack dealer, conditions were pretty good until spring 2007, when a 5 percent across-the-board raise turned out to be a mere pennies-per-hour increase for some workers. Johnson says starting dealers make a base pay of about \$4.50 an hour, and \$18 to \$20 an hour counting tips.

In early 2007, management raised medical insurance deductibles, reduced

its prescription drug plan and disbanded the Employee Group Council created to promote communications and as an outlet for workers' grievances, Johnson says. As a result, workers at Foxwoods asked the UAW to represent them.

The union has a history of successfully organizing workers at other casinos—an industry that rakes in more than \$58 billion annually (almost \$26 billion of that from Indian casinos, according to the National Indian Gaming Association).

Anna Wermuth, an attorney who represents employers in labor cases, is critical of the 2007 case involving a union victory at the San Manuel Indian Bingo & Casino in Highland, Calif., that set the precedent for the NLRB decision in the Foxwoods case.

"What happened with the San Manuel case is that the [National Labor Relations] Board ... [retreated] from its prior decision that Indian-owned-and-operated enterprises that operated within the confines of a reservation were not subject to the NLRA [National Labor Relations Act]," she says.

The San Manuel case also included for the first time a look at the clientele and the workforce at the Indian casino. Both were found to be primarily non-Indian, thus weakening the sovereignty claim, in the NLRB's view. (In the Foxwoods case, only about 30 of the casino's 10,000 employees are tribal members.)

Lance Compa, a senior lecturer at Cornell University's School of Labor and Industrial Relations, strongly supports the NLRB ruling, saying the agency ought to have jurisdiction in the Foxwoods case.

"We just don't want a situation here where we have enclaves [that can't be unionized]," Compa says. "And these are not little enclaves—this is a huge booming industry, the gaming industry. And we can't have enclaves throughout the United States where workers' fundamental rights of association aren't respected and enforced."

Bruce MacDonald, spokesman for the Mashantucket Pequots, is refreshingly candid when he says management "blew it" in its communication to workers about the way raises were apportioned last year. He also notes that management disbanded the Employee Group Council

because workers said it was ineffective and replaced it with small group meetings with managers.

MacDonald says the seven-person elected tribal council is appealing the workers' vote for the UAW to the regional office of the NLRB.

"The tribe has maintained that it does not object to organizing on the reservation," he says, "but it wants the organizing to take place under the jurisdiction of tribal law, not the National Labor Relations Board."

He explains the main difference with NLRB procedures is that tribal law is more like the laws that govern state employees—workers have no right to strike, management cannot impose lockouts and disputes require binding arbitration.

The tribe is appealing on jurisdictional grounds—claiming the vote to join the UAW violated its sovereignty rights—and also on procedural grounds—charging the union with intimidation and with printing ballots only in English. (But organizing committee member Johnson says management requires the dealers to speak English, and Foxwoods'

job application and employee manual are only in English.)

On Dec. 21, the regional NLRB office in Hartford, Conn., issued a ruling on the tribe's objections, dismissing the challenge to its jurisdiction in the election, but forwarding 10 objections relating to intimidation of anti-union workers and the lack of accommodation for non-English speaking workers for a hearing that, as *In These Times* went to press, was scheduled for Jan. 15. At that time, both parties will present testimony.

If the tribe loses there, it can refuse to bargain with the newly certified union and seek redress in the federal courts.

Johnson, however, is optimistic. She says organizing committee members are convincing more dealers to sign union cards.

"We're moving forward," she says. "It's pretty exciting." ■

MELINDA TUHUS is an independent journalist with 20 years of experience in print and radio. Her work has appeared in *In These Times*, the *New York Times*, *Free Speech Radio News* and on public radio outlets. She also has three years of experience reporting for Women's eNews.

Outsourcing Zionism

For less than \$4 an hour, several Jewish teenagers removed furniture, clothes, kitchenware and toys from homes and loaded the items onto trucks. As they worked diligently alongside the many policemen who had come to secure the destruction of 30 houses in two unrecognized Bedouin villages, Bedouin teenagers stood watching their homes being emptied. When all the belongings had been removed, Israeli bulldozers rapidly destroyed the homes. All those present—Jews and Bedouins—were Israeli citizens.

Bedouins are the indigenous people who live in the Israeli desert of Negev. Before the establishment of the State of Israel in 1948, approximately 70,000 Bedouins lived in the area. Following the 1948 war, only 12,000 or so remained. The rest fled or were expelled to Jordan and Egypt.

Under the directives of Israel's first prime minister, David Ben-Gurion, the state uprooted those Bedouins who remained on their lands, and pushed them to the northeastern part of the Negev (a mostly barren area) known as the "Sayag"

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THE KATRINA INFORMATION NETWORK

Nearly two and half years after Hurricanes Katrina and Rita ravaged the Gulf Coast, tens of thousands of people are still displaced or without homes—and that number may increase sharply with the Department of Housing and Urban Development's November plan to tear down thousands of public housing units.

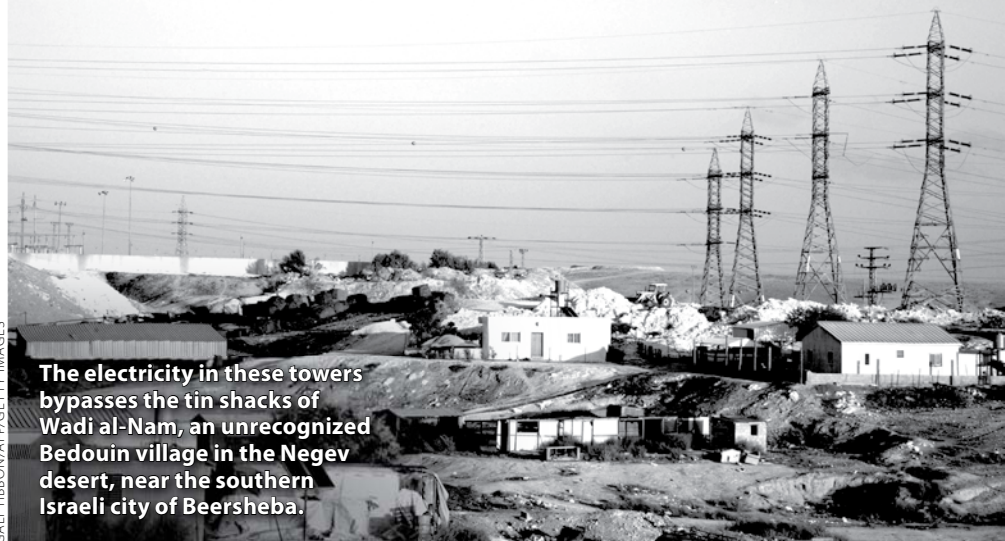
Still, New Orleans and other areas affected by the storms seldom make front-page news—or any page, for that matter. The Katrina Information Network (KIN) formed in September 2005 to fill that void and push people to action.

KIN is a collaboration of groups and individuals in the Gulf Coast and across the country, including representatives from the U.S. Human Rights Network, the NAACP, the Hip Hop Congress and Amnesty International. The network uses e-advocacy, grassroots pressure, local actions, resolutions and selective buying to “build power for change.”

KIN's most recent action, the 5 Minute Campaign, asks residents and volunteers in the Gulf Coast to share their stories in order to influence national policy toward recovery. KIN's website serves as an online resource center with news updates, links to reliable sources and relevant fact sheets, such as a list of companies cited by the House Oversight Committee for mismanaged contracts.

For more information, or to share your story, visit www.katrinaaction.org.

—Chelsea Ross



The electricity in these towers bypasses the tin shacks of Wadi al-Nam, an unrecognized Bedouin village in the Negev desert, near the southern Israeli city of Beersheba.

zone. The government reserved the more fertile western part of the Negev for Jewish settlement.

Throughout the '50s and until the mid-'60s, the Israeli government confiscated a considerable portion of Bedouin ancestral lands and registered them as state land. In the '70s, the government again moved about half the Bedouin population, this time into seven townships. The remaining half of the Bedouin population was unwilling to give up its property rights and is now scattered across the Negev in 45 villages that have never been recognized by the state. The current population of Bedouins has grown to about 75,000 in the townships and a similar number in the unrecognized villages.

Israel makes life in these unrecognized villages unbearable. For so-called illegal construction, the Israeli government demolishes houses and imposes criminal sanctions. Moreover, the state does not connect these villages to electricity grids, running water, sewage system, or telephone services. There are no paved roads leading to the Bedouin villages. As a result, emergency services cannot reach them quickly, and access to other basic services—such as health, education and welfare—is difficult and limited.

After witnessing the recent demolitions, a Bedouin activist asked one of the Jewish teenagers why he had agreed to participate in the eviction. Without hesitating, the teenager replied: “I am a Zionist and what we are doing here today is Zionism.”

The teenager was not wrong. And yet he was probably too young to recognize that even though Zionism's major goals have not changed, the methods deployed to realize them have been undergoing a radical transformation.

While over the past two decades, the state itself performed the task of Judaizing space, today the government is outsourcing more and more of its responsibilities to private firms. The teenager was hired by a personnel agency, which was employed by the government to expel Bedouins from their homes in order to establish two new Jewish villages. (Incidentally, their establishment is part of a larger plan that includes the construction of about 30 new Jewish settlements in the Israeli Negev, the seizure of Bedouin land for military needs, and the creation of dozens of single-family farms on land that Bedouins have inhabited since Israel relocated them to the region.)

The process of privatizing Zionism has been slow. For more than five decades, the state was the sole agent responsible for all planning of new villages, towns and cities. Private contractors only carried out the construction. Today, land from which the government is expelling the Bedouins is sold at rock-bottom prices to real-estate moguls, who are then responsible not only for constructing Jewish villages and towns, but also for planning them.

The state gives the Jewish farmers large plots of land and connects them to basic infrastructure like water and electricity, and, in return, expects them to be part of an apparatus whose role is to contract and restrict Bedouin movement and development and to help the security forces keep an eye on the Negev's indigenous population.

If one drives a few kilometers further and crosses the Green Line into the Occupied Palestinian Territories, one may notice that Israel is also privatizing military checkpoints.

In the past year, the state has handed

over the management of at least five checkpoints to corporate warriors—working for such companies as Notari Zion (Guardians of Zion), Shmira Ubithahon (Guarding and Security) and Modi'in Ezrachi (Civil Intelligence). But the difference between Israel Defense Force soldiers and hired guns is that the latter operate within the gray areas of the law. They are Israel's Blackwater.

As this privatizing continues, the checkpoints in the West Bank, which have already earned notoriety under the management of the Israeli military, will surely become sites of more misery for Palestinians trying to pass through them.

In the early '80s, the Israeli government allowed private contractors to appropriate land within the Occupied Territories and sell it at great profits, while the military created settler militias to help it police the Palestinian inhabitants. These civilian militias were given military-issue personnel carriers, weapons and communications equipment and were asked to patrol around their settlements, which, in practice, often meant policing nearby Palestinian villages.

Zionism's privatization does not symbolize a strategic change but a tactical one. The state has been shedding some of its responsibility. The use of teenagers to evict Bedouins from their homes is not only a reflection of this insidious process of privatization, but also the corrosion of moral responsibility.

—Neve Gordon and Erez Tzfadia

Day Laborers Sue Chicago

On Dec. 5, two day laborers, in conjunction with the workers' rights group Chicago Committee for the Right to Work, filed a federal lawsuit against the city of Chicago. They charged city police with systematically harassing and falsely arresting workers who gather on the city's street corners in search of employment.

"Day laborers have been suffering from police harassment for decades in this city and it's come to a point where we want to do something to end it," says B. Loewe, planning director of Latino Union of Chicago, a workers' rights organization that helped prepare the lawsuit.

In the first lawsuit filed by day laborers

against the city, the two workers allege wrongful detention, violation of First Amendment rights, conspiracy to violate civil rights and malicious prosecution.

The lawsuit cites examples of police intimidation, such as an alleged instance where a police officer forced an employer and three day laborers out of a car at gunpoint, and an alleged sting operation in which undercover officers, posing as contractors, lured workers to a Home Depot to discuss employment and then arrested them for criminal trespass.

At least 150 charges and arrests have been dismissed in court in favor of the day laborers, according to the Latino Union, highlighting the tenuous relationship between the police and workers' right to assemble on public space.

"We've seen workers being arrested repeatedly for nothing more than just trying to feed their families by looking for work on public property," says Jessica Acee, an organizer with the Latino Union.

As *In These Times* went to press, a city spokesperson was unable to comment on the lawsuit, stating that the city has yet to be served with the complaint.

The illegal arrests and harassment have made it more difficult for day laborers, many of whom work in a fluctuating urban economy that ignores workplace injuries, labor abuses and low wages.

Nationally, at least 117,000 people are employed or looking for jobs as day laborers, according to a 2006 report by UCLA's Center for the Study of Urban Poverty. In Chicago, about 800 day laborers—predominantly immigrant, Latino workers, or *jornaleros*, who typically work in construction, moving and landscaping—are looking for work on any given day.

"It's unjust for the police to arrest us because we're not criminals. We're simply people who are looking for work," says Quintin Moran, a day laborer who shows up six days a week looking for work on the busy Chicago street corner of Belmont and Milwaukee Avenues. "They treated us like we were robbers, like we were delinquents, threatening us with their police sticks."

Day laborers in the Midwest suffer the most police abuse in the country, according to the UCLA study. Of the day laborers surveyed in the Midwest, 34 percent reported that police forced them to leave the area where they sought work, 24 percent were photographed or videotaped, and 27 percent had their immigration status

checked. But day laborer organizers see the harassment as more than a violation of a First Amendment right to gather on public property. (Chicago city ordinances prohibit citizenship inquiries.)

While Chicago doesn't have laws or ordinances prohibiting day laborers from seeking employment in public places, officials in other cities have tried to pass measures to curb them from congregating.

In April 2006, federal judges prohibited police in Redondo Beach, Calif., from arresting laborers seeking work on the street. And in November 2006 in Freehold, N.J., officials agreed—after a three-year court battle—to allow laborers to



Chicago day laborers look for work outside of the Home Depot on 47th St. and Western Ave. in Chicago.

seek work in public places without fines. Also that month, a federal judge ruled that city officials in Mamaroneck, N.Y., discriminated against Latino day laborers by stepping up police presence, closing a hiring site and fining contractors who approached day laborers.

Despite these federal rulings, however, local officials have continued to push anti-day laborer measures in cities like Escondido, Calif., where members of the city council are attempting to pass an ordinance to keep workers from soliciting jobs on street corners, and in Herndon, Va., where the town closed a workers' center in September after ignoring a circuit court judge's ruling that it should remain open.

Still, with the help of various workers organizations, the *jornaleros* believe they can find a solution by meeting with police and city officials.

"I hope there will be a day when we can have negotiations with the city so that we will be able to find work in peace and keep this corner without any bad will toward us," says David, a day laborer who preferred to be identified by his first name only. "We have nothing against the police or businesses. We just want them to treat us like human beings."

—Akito Yoshikane

N.J. Closes Death Row

It's official. Before 2007 came to a close, New Jersey became the first state in the United States in 40 years to abolish the death penalty.

With a stroke of a pen, Democratic Gov. Jon Corzine signed a law eliminating the state's death sentence and replacing it with life without the possibility of parole. The measure was the culmination of a concerted statewide campaign.

In January 2007, a 13-member, appointed commission—including a police chief, a couple of prosecutors and a father who lost his daughter to a violent crime in 2000—recommended abolish-

ing the death penalty. In addition to citing concerns about the risk of executing an innocent person, the commission found that the death penalty was a poor deterrent to crime, increasingly "inconsistent with evolving standards of decency," and not worth the financial and emotional costs.

Activists took these findings to the streets, the legislature and the public. In early December, after heated floor debates the state Senate and Assembly both passed the measure.

"Nobody wants to execute the wrong person," says Abe Bonowitz, field manager for New Jerseyans for Alternatives to the Death Penalty. "More importantly, the strength of murder victims' families to be present and to share their tragedy was a way of helping legislators understand that the death penalty just creates more pain."

Other states—including Maryland, New Mexico and South Dakota—are considering similar measures. In Illinois, a moratorium on executions has remained in place since 2000, when former Republican Gov. George Ryan halted executions in light of the revelation of wrongful convictions in the state and around the country.

Nationally, no executions have taken place since Sept. 25, 2007, when the state of Texas executed Michael Richard hours after the U.S. Supreme Court agreed to examine the constitutionality of lethal injection. Since then, a de facto moratorium on executions is pending a Supreme Court ruling on whether lethal injection violates the constitutional ban on cruel and unusual punishment.

Public confidence in the death penalty has eroded over the last decade, according to a June 2007 poll released by the Death Penalty Information Center. The poll, conducted by RT Strategies, found that 40 percent of Americans believe that they would be disqualified from serving on a jury in a death penalty case because of their moral beliefs. Moreover, 58 percent think executions should be halted temporarily while procedures are looked at more closely. The poll also found that a whopping 87 percent of people believe that an innocent prisoner was executed in recent years, and nearly 70 percent think that the wrongful execution of an innocent person is inevitable with capital punishment.

The findings of another study, conducted by Mark Peñey and Jon Hurwitz,

appall-o-meter

2.5 Sun City Slasher

Five years ago, when Douglas Hoffman and his wife Debbie moved into Sun City Anthem, a retirement community on the outskirts of Las Vegas, it was a virginal housing development. New sod, no trees, plastic siding glinting in the sun.

Within a few years, however, saplings had grown into towering eight-foot trees, obscuring the Hoffmans' view of Las Vegas' Strip. Bummer.

The couple asked the homeowners association if they could get rid of the trees, reports the *Los Angeles Times*, but were refused. That's when Douglas took matters into his own hands and lopped off the tops of the trees surrounding his house. To avoid suspicion, he massacred trees throughout Sun City Anthem, allegedly destroying \$250,000 worth of mesquite and Texas honey trees.

"We thought it was a fluke thing, maybe teenagers," said a spokeswoman for the community's developer. Then a retired sheriff's deputy caught Douglas making his getaway.

Convicted in November, Hoffman could face a long stretch in some not-so-leafy

confines. But the real victim, according to Mrs. Hoffman, is her persecuted husband. "It's like you can murder someone and it's OK," she told the *Times*, "but you're accused of killing trees and it's like, execute him."

3.1 It's Hard Out There for a Eunuch

As our nation slides into recession, it is important to keep our misfortune in perspective. It's unlikely that any American will be reduced to impersonating a eunuch to earn his daily bread.

In the Indian state of Madhya Pradesh, however, it's a different story. Eunuchs have long played a traditional role at weddings, births and other auspicious events. But now, reports the *Asia Times*, the eunuch community is threatened by imposters out to usurp the contributions eunuchs receive in exchange for blessings.

Trouble began when eunuchs discovered pseudo eunuchs begging on the



street and attacked them. Street brawls between the two groups have followed, and one eunuch was recently murdered by pseuds. State authorities are considering issuing licenses, but they falter on the sensitive issue of the verification process.

4.5 On the Other Hand...

New York City police arrested David J. Dalaia and

James O'Hare after the two men wheeled the body of a deceased friend, Virgilio Cintron, to a Pay-O-Matic check-cashing store in hopes of cashing his Social Security check.

"[W]itnesses saw the two pushing the chair with Cintron flopping from side to side and the two individuals propping him up," a police spokesman said, according to the Associated Press.

The men were arrested as they were about to wheel the corpse into the store.

—Dave Mulcahey

recently published in the *American Journal of Political Science*, found that race matters when it comes to public opinion on the death penalty.

When a random set of white people were asked, “Do you favor or oppose the death penalty for persons convicted of murder?” 36 percent said that they strongly favored the death penalty. Another random set of white people was asked the same question, but with a slight variation: “Some people say that the death penalty is unfair because most of the people who are executed are African Americans. Do you favor or oppose the death penalty for persons convicted of murder?” In response to this question, 52 percent said that they strongly favored the death penalty, an increase of 16 percent.

To explore this disparity, Peñey and Hurwitz took a closer look at what whites and blacks believe causes crime. They found that whites were more likely to believe that personal failings were the primary cause of crime rather than social factors, such as poverty and inequality.

Yet, as African Americans continue to be sentenced to death disproportionately—comprising nearly 42 percent of the U.S. death row population—the New Jersey victory should be seen as a blow to racism in America. Additionally, since the death penalty was reinstated in 1976, 80 percent of people executed have been executed for murders involving white victims, according to a 2003 Amnesty International report.

Meanwhile, in the race for the White House, talk about the death penalty is rare among the candidates. The top three contenders for the Democratic nomination—Sen. Hillary Clinton (N.Y.), Sen. Barack Obama (Ill.) and former Sen. John Edwards—all support the death penalty.

Indeed, even though Obama sponsored death penalty reform legislation during his tenure as state senator in Illinois, he supports capital punishment in cases “so heinous that the community is justified in expressing the full measure of its outrage by meting out the ultimate punishment,” according to his bestselling autobiography, *The Audacity of Hope*.

Of the Democratic candidates, only Rep. Dennis Kucinich (Ohio) and former Sen. Mike Gravel oppose the death penalty.

But as states like New Jersey and Illinois show, it doesn’t have to be presidential contenders who lead the nation away from capital punishment.

—Alice Kim

snapshot



NAIROBI, KENYA—A displaced boy waits for a delivery of food aid on Jan. 10. Talks hosted by Ghanaian President John Kufuor to bring an end to the political deadlock failed, although President Mwai Kibaki and opposition leader Raila Odinga have said they would work together under a panel headed by former U.N. Secretary-General Kofi Annan. (Photo by Peter Macdiarmid/Getty Images)

Counterinsurgency in Chiapas

BOLON AJAW, Mexico—Around 3 p.m. on Jan. 2, nine shots were fired into the air. The perpetrators withdrew, leaving behind a button-down shirt with the cuffs tied to two lone trees in the cornfield. Machetes had hacked the shirt and cut a thick cross into one of the tree trunks at chest height. A bullet case was embedded at the center of the cross.

“This is an example of what they want to do to us,” says José Morales, a 22-year-old Tzeltal Indian who used a pseudonym to protect his identity. “Grab us and hang us from the trees.” Morales is a member of the Zapatista community of Bolon Ajaw, one of dozens of Zapatista communities across the southern state of Chiapas facing almost daily attacks, land invasions and death threats.

After hearing the gunshots, Pedro Alvarez, another member of the community who also preferred to use a pseudonym, had run down the mile-long path from the cornfield where he was cutting wood,

to Bolon Ajaw’s center, a cluster of houses made of old boards, corrugated tin roofs, and dirt floors and none with electricity or running water. Alvarez then led the authorities and five observers back to the cornfield where they found the hanging shirt and the cross freshly cut into the tree.

Since early 2007, aggressions against scores of communities, affecting 800 families and threatening more than 12,000 hectares of Zapatista-controlled territory, have taken place, reports the Center for Political Analysis and Social and Economic Investigation (CAPISE), which is based in San Cristobal de las Casas in Chiapas.

“This is clearly a systematic counterinsurgency strategy,” says Ernesto Ledesma, director of CAPISE. “We haven’t seen an offensive this intense for at least 10 years.”

During the last half of 2007, Ledesma and a handful of CAPISE staff and volunteers have released an average of three reports a month documenting the new “government onslaught” against the Zapatista indigenous communities.

“The Mexican state has re-activated paramilitary groups,” says Ledesma.



**Zapatistas meet
with human rights
observers in the
autonomous village of
San Manuel, Mexico.**

JOHN GIBLER

“They are doing what the Spaniards did during the conquest and what the ranchers and local mafias did after the Mexican Revolution: They are dispossessing once again the indigenous peoples from their lands, from their territory.”

In 1994, when the Zapatista Army of National Liberation (EZLN) rose up in arms in Chiapas, indigenous insurgents forced the ranchers from the land and became collective owners of the very fields they worked as slaves for hundreds of years. Since then, the EZLN has resettled thousands of landless people on former *haciendas*, a process the Zapatistas call “recuperating the land.”

In 1996, the Mexican government signed the San Andres Accords with the EZLN, recognizing indigenous regional autonomy. But the government then balked after signing and never implemented the accords.

On Dec. 22, 1997, 45 Tzotzil indigenous people in Acteal, 2 hours north of San Cristobal, were massacred by the paramilitary group, Peace and Justice (*Paz y Justicia*), and the impunity that followed led the EZLN to suspend all dialogue with the government.

Then, five years later, the government passed a gutted version of the accords that rejected indigenous regional autonomy and instead further subjected Mexico’s estimated 16 million indigenous citizens to federal authority by defining them as “entities of public interest,” in the text of the law.

As a result, the EZLN cut off communication with the government and set about

implementing the accords on its own, creating autonomous municipalities and regional governance structures based on rotating councils of local villagers elected in open assemblies. Road signs throughout Chiapas announce to travelers: “You are now entering autonomous, rebel territory.”

Throughout his six-year term (2000-2006), former Mexican President Vicente Fox built on the previous administrations’ attempts to divide Zapatista communities by using handouts and governmental assistance programs. Fox, like his predecessors, also tried to create and train anti-Zapatista paramilitary groups to masquerade as rural indigenous rights organizations, such as the Organization for the Defense of Indigenous and Peasant Peoples (OPDDIC).

Now, with many communities divided between pro- and anti-Zapatista, organizations like OPDDIC are using government aid programs to get land grants to Zapatista territories. Once the government provides the grants, OPDDIC would have a “legal” pretext to dispossess the Zapatista families from their lands.

The Zapatistas, in turn, refuse to enter into government aid programs, and they refuse to leave the land.

“We spilled our blood for the land, not for a government handout,” says one member of the Zapatista autonomous municipality of San Manuel, which is also under threat.

Meanwhile, the Mexican army has built 56 military bases in Zapatista regions, surrounding communities that support the

EZLN, and often providing aid to OPDDIC and other anti-Zapatista organizations.

Morales of Bolon Ajaw says that the aggressions began in 2006 when OPDDIC began to recruit among government sympathizers in the area.

“They are not doing this alone,” he says, “they come on behalf of the government. Whenever there is a problem, the helicopters and police come right away, as if they already knew what was going to happen.”

Over the past four months, according to CAPISE reports and local press accounts, in Bolon Ajaw alone, the OPDDIC has ambushed Zapatista villagers with guns and machetes, badly beating four people.

In response to attacks in late November, CAPISE organized observation brigades to camp out in Bolon Ajaw and other communities to document aggression and threats against the Zapatistas.

“This is a new onslaught of the Mexican state, with all levels of government participating,” says CAPISE’s Ledesma. “They are going for the land. They are going for territory and all the natural resources therein. But now there is an entire movement and indigenous peoples opposed to their project and, moreover, developing another, alternative project, autonomous and their own.”

—John Gibler

Selling Out Grandma

In late 2007, the investment firm The Carlyle Group purchased one of the country’s largest nursing home chains despite the concerns of regulators, lawmakers and workers’ groups that the acquisition would lead to staffing cuts and cause a decline in quality of care for residents. The \$6.3 million purchase of Toledo, Ohio-based Manor Care Inc. closed after a Michigan judge lifted a restraining order that temporarily halted the sale.

“The problem is, in the nursing home industry, making money means cutting care,” says Julie Eisenhardt, a spokeswoman for Service Employees International Union (SEIU), which represents employees at about 15 Manor Care homes and which spearheaded a campaign to raise awareness about the buyout.

In 2006, Manor Care, which operates more than 500 nursing, rehabilitation and assisted living facilities in 32 states, posted \$167 million in profits and \$3.6

billion in revenues. Manor Care shareholders were slated to get \$67 for each share as part of the deal.

The Carlyle Group has holdings in several industries, including healthcare, defense and energy. Former President George H.W. Bush was one of its advisers until 2003.

Officials from both firms have denied plans to reduce staffing or slash services following the takeover, and have said Manor Care will continue to be run as it was before the buyout. "There's not going to be a cut in staff and there's no reason for quality to go down," says Rick Rump, a spokesman for Manor Care. "Carlyle is going to realize a return in investment by our company growing and becoming a better provider of healthcare."

The deal's critics also say investment companies create Byzantine ownership structures that impede regulation and shield the firms from accountability for negligent care or wrongful death accusations.

Rump says that Carlyle would not separate its assets from its operations as some private equity firms have done and that the Manor Care management team would remain the same.

Carlyle officials did not return calls by deadline, but Karen Bechtel, the company's managing director and global head of healthcare, said in a statement: "We are pleased to back a high-quality company and management team. We support [Manor Care CEO] Paul Ormond's strategic vision and support his commitment to quality patient care."

But a preliminary study of a large nursing home chain owned by a private investment firm found that staffing of

registered nursing homes dropped by 8 percent and deficiencies that harmed residents doubled.

"They're not there to invest in the care for the residents, they're there to make money," says Charlene Harrington, a professor of nursing at the University of California, San Francisco, and author of the 18-month study. "The way these chains have made money is by cutting the staff to the bare bones and pocketing the profits."

Harrington, who is part of a team that has researched nursing homes for 25 years, says the privatization of chains allows companies to shirk regulatory scrutiny because they are not required to file financial documents with the Securities and Exchange Commission (SEC) or state regulatory agencies.

"These chains have had so many quality problems that they have wanted to go private in order to keep from having the litigation they have," she said.

A recent *New York Times* analysis of government data from 2000 to 2006 found that the quality of care declined at nursing homes that were taken over by investment firms such as Warburg Pincus and Carlyle because of cost-cutting and staff reduction.

David Adams, 40, entered one of Manor Care's homes in Pittsburgh, Pa., after he ruptured his Achilles tendon playing basketball. He says the care at the Shady-side Nursing and Rehabilitation Center was substandard before the takeover, and he's concerned it will only get worse.

"They're coming up short—they do the minimum they can get away with and no more," says Adams, a former construc-

tion worker and cook, who testified during state hearings in Pennsylvania on the buyout. Adams says he contracted infections because his bandages weren't changed regularly, received the wrong medication and was stranded for 45 minutes after falling in his bathroom.

"One day I will leave," he says, "but there are people that are going to die here."

The Carlyle Group's buyout was announced last summer and given the green light by the SEC. Shareholders approved the deal in a December 2007 meeting. After the sale, several state health departments, including those in Illinois and Michigan, still had to approve the transfer of licenses from Manor Care to Carlyle, but Manor Care's Rump says he expected the transfers to be granted.

In November, legislators in Washington, D.C., held hearings on the issue of care at facilities owned by private investment firms, and hearings took place in several states.

In West Virginia, regulators reconsidered their initial approval of a deal just days before the completion of the sale. But after a Dec. 14 hearing, the state Health Care Authority lifted a stay on the approval, which would affect seven West Virginia nursing facilities. Manor Care had protested the stay, saying the delay was costing investors \$1 million per day.

In Illinois, legislators and union leaders voiced concern about the deal.

"I think the size of the transaction, the nature of the business of the proposed buyer and the effects that could be felt by our most frail and vulnerable populations require us to give the proposal extra scrutiny," said State Rep. Greg Harris (D-Chicago) at a December hearing before the Illinois Department of Public Health, which regulates the state's nursing facilities.

In December, financial news service Bloomberg reported that the Manor Care purchase was the eighteenth sale of a nursing home operator in the United States in four years. Experts say investment firms' interest in nursing facilities is partially an effort to cash in on the aging of baby boomers into the system.

"As boomers get older, taking care of them is going to be big business," says Eisenhardt of SEIU. "The question is: Do we as a society think it's right that people are trying to make money off taking care of our most vulnerable population?"

—Emily Udell



Protesters picket outside The Carlyle Group's headquarters in Washington, D.C., in September 2007..

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BY SUSAN J. DOUGLAS

The Jamie Lynn Effect



THE STORY WAS SO big it made front page of the *New York Times*: Jamie Lynn Spears, Britney's 16-year-old kid sister, and star of Nickelodeon's squeaky-clean "Zoey 101," was pregnant by her 19-year-old boyfriend. And everyone was shocked—shocked!

There was plenty of derision for Spears' mother, who was surprised because Jamie Lynn was "never late for curfew"—as if

sex happens only after 11 p.m. Jamie Lynn herself said, "I was in complete and total shock," apparently not aware of one of the more significant outcomes of having sex.

But few noted that this story is emblematic of the highly

hypocritical and often hostile media environment surrounding girls in American society. With media panics about girls outperforming boys and attending college at higher rates, it can seem as if 21st century girls don't face many struggles.

And with the white, upper-middle-class bias in TV shows, films and magazines geared toward young people, it would appear that girls' biggest challenges are planning their latest over-the-top party, à la MTV's "Laguna Beach" or "My Super Sweet Sixteen."

But the advocacy group Girls Inc. has found that many girls are stressed out navigating the contradictory expectations that surround them. Teen girls, especially, live in a culture that is simultaneously prudish and pornographic. They are supposed to turn themselves into enticing little pop tarts who then "just say no." They are constantly told, in images more so than words, that their main value comes from their sex appeal and being regarded as "hot" by guys.

The hyper-sexualized media environment that surrounds them—to which Jamie Lynn's older sister has certainly contributed—targets girls at ever-younger ages. Midriff-baring tops and thongs can be found in girls' clothing departments; the Bratz dolls, in their Sunset Strip hooker outfits, make Barbie look like a priss (although a very stacked priss).

Television exaggerates the centrality of sex to everyday life, even for adolescents. In 1998, 67 percent of primetime shows contained sexual content, according to the Kaiser Family Foundation. By 2005, 77 percent of primetime shows did. Among the top 20 most-watched shows by teens in 2005, 70 percent included some kind of sexual content and 45 percent included sexual behavior. Per hour, the number of sex scenes in top teen shows is 6.7. That's higher than

overall primetime, which showed 5.9 sex scenes an hour. (In any given hour, the scenes in my home concern things like who fed the dog and whether the electric bill got paid.)

As University of North Carolina researcher Jane Brown has noted, the media have become a "sexual super peer" for young girls, that approves of teens having sex while providing them little information about the consequences.

A study released a year ago by the American Psychological Association reported that the hyper-sexualization of girls is harmful to their emotional and physical health, encouraging them to objectify themselves and promoting eating disorders, low self-esteem and depression.

Meanwhile, the same kids who watch random hook-ups through the infrared cameras on MTV's "The Real World" get little or no reliable information about sex. The Guttmacher Institute reported that

in 2002, "one-third of teens had not received any formal instruction about contraception," and the figure was even lower for black teens. For girls, there was actually a decline in how many had gotten such

instruction since 1995. In 1995, only 8 percent to 9 percent of teens got abstinence-only instruction (without any mention of contraception). By 2002, thanks to the Bush-Religious Right approach to sex education, the figure was 21 percent for girls and 24 percent for boys. Recent studies have shown that abstinence-only sex-ed programs fail. So, as sexual content in the media has increased, exposure to thorough, reliable sex education has decreased.

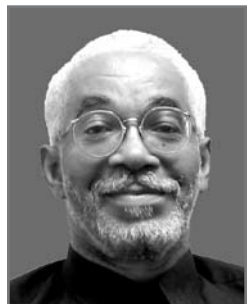
One result of all this? The trend that Jamie Lynn Spears represents: The United States continues to have one of the highest teen pregnancy rates in the developed world, twice as high as Great Britain and eight times as high as the Netherlands. (U.S. teens also have one of the highest rates of sexually transmitted infections in the industrialized world.) To top it off, while many girls are told they can do or be anything, our hyper-natalist celebrity culture insists that the most important thing they will ever do is have children. Forget other achievements; only by having children will they be truly sanctified as "real" women.

The Jamie Lynn Spears story, as banal as it is, offers not just an opportunity to talk to teens about responsible sex. It also provides an opportunity to point out how girls can still be trapped in no-win situations, rank with hypocrisy, that benefit, primarily, white male conservative politicians and white male libertine corporate honchos. Welcome to a powerful new patriarchal reformulation that is the latest post-feminist Catch-22. ■

In a culture that is prudish and pornographic, girls are supposed to turn themselves into enticing little pop tarts who then 'just say no.'

BY SALIM MUWAKKIL

Nas: Whose Word Is This?



THE RAPPER NAS has thrust the word “nigger” back into the limelight by making it the title of his new album. Such a move seems improbably provocative given the increased public scrutiny hip hop has received recently in the wake of the Michael Richards and Don Imus incidents.

Richards, who played Kramer on TV’s “Seinfeld,” spewed a nigger-laden diatribe at a Los Angeles comedy club in 2006.

And in 2007, shock jock Imus infamously called the Rutgers University women’s basketball team “nappy-headed hos.”

Although both of them are middle-aged white men who are unlikely to be rap fans, it was hip hop that absorbed the public blame for their remarks.

The genre has been on a defensive back step ever since.

To help blunt the rising public media criticism, hip-hop luminaries like Russell Simmons, the co-founder and former CEO of Def Jam

Records—the label on which Nas now records—launched a campaign urging radio stations and other media not to air the words, “bitch,” “ho” and “nigger.”

The public clamor prompted politicians around the nation to get in on the act. Together, with civil rights forces (like the Rev. Al Sharpton’s National Action Network, the Rev. Jesse Jackson’s Rainbow PUSH Coalition and the NAACP), they launched multifaceted crusades to ban words that denigrate the black community. The NAACP held a widely publicized burial ceremony for the n-word at its national convention in Detroit last July 9.

Word-banning crusaders are also using the municipal arena to raise consciousness. Baltimore, Los Angeles and New York City all have passed non-binding, symbolic resolutions banning variations of the word nigger. This public clamor has congealed into a censorious campaign to squelch bad words. The rap world is a major target of these efforts, and many hip-hop executives are taking cover.

By choosing “Nigger” as a title, Nas halts hip hop’s retreat. Born Nasir Jones, the Queens native has long been considered one of hip-hop’s most imaginative lyricists. His richly detailed narratives are among the most vividly rendered wordscapes of urban America available, and many aficionados of the genre rate him as one of the best rappers ever.

Nas told MTV News that he chose the title to help weaken the word. “We’re taking power from the word,” he said. “You see how white boys ain’t mad at ‘cracker’ cause it don’t

have the same sting as ‘nigger?’ I want ‘nigger’ to have less meaning than ‘cracker.’”

Some have charged that his motive was pure capitalism. Even some of his supporters, like rapper LL Cool J, attribute marketing motives to Nas’ decision. However, it seems more likely that Nas will lose market share because of his controversial album. (He certainly will lose access to major retail outlets.)

There initially were tales of resistance from Nas’ record company, Def Jam (a part of Vivendi’s Universal Music Group), but company officials since have expressed solid support for the album.

Predictably, Jackson and Sharpton have lambasted Nas for his decision, Fox News has denounced him, and New York State Assembly member Hakeem Jeffries is urging the New

York Comptroller to pull an \$84 million state pension fund invested in Def Jam’s parent company, Vivendi, unless the title of the album is changed.

This enthusiastic campaign against a word is not just a distraction from real issues, it

is a debilitating diversion. Words are symbols with no intrinsic value. They derive their meaning from social context. Ascribing inherent qualities to symbols is the very definition of idolatry. Devoting such energy to attack them is like Cervantes’ Don Quixote tilting vainly at windmills, wasting precious resources.

What’s worse, this animosity against symbols awakens a censorious, book-burning proclivity that lurks in humanity’s lizard brain. It is an atavistic impulse that must be closely monitored lest it manifest as fascist politics.

There is no doubt that the word has an unprecedented history of pain and suppression and that many African Americans were socialized with that sensibility. They question if such a loathsome symbol of racist subordination could ever be transformed into a word of a different color. In fact, many (like those who advocate burying the word) have concluded that the word is indelibly tainted by its racist pedigree.

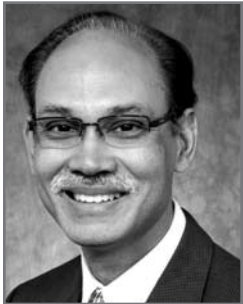
But no taint is indelible.

In some ways, critics are correct about hip-hop’s culpability in our current cultural dispute about symbols. Among other things, the genre may have performed an act of etymological alchemy by transforming a verbal weapon into a term of endearment. Those who use the word with malicious intent may still be able to inflict pain, but they are brandishing a weakening weapon. The word is being so relentlessly denuded it may one day be effectively defused. Nas’ album continues that process. ■

Those who advocate burying the word ‘nigger’ have concluded that it is indelibly tainted by its racist pedigree. But no taint is indelible.

BY AHMAD FARUQUI

Musharraf's False Dichotomy



PAKISTAN'S AUTOCRATIC PRESIDENT, Pervez Musharraf, has been in power for the past eight years. In November 2007, he gave himself another five-year term as president and stepped down as the army chief, six years past his retirement date. When the country's Supreme Court objected, he removed the Chief Justice and several other judges, declared a state of emergency on Nov. 3 and suspended the constitution. Police arrested thousands of protesters,

including a quarter of the nation's lawyers.

The reason Musharraf stays in power after violating every norm of political decency is that he has convinced Washington that if he goes, the nuclear-armed nation of 165 million will be run over by religious fanatics. This message has resonated well with the Bush administration, which has rewarded him with \$10 billion in aid since the 9/11 terrorist attacks and has looked the other way every time he has violated the constitution, calling it an internal matter for the people of Pakistan.

Musharraf seems to be singing from the songbook of the French King Louis XV, who is believed to have said, *Après moi, le déluge*, which means, "After me, the deluge." The ex-general has successfully sold a false dichotomy to the American public, that Pakistan is a special case in which one has to choose between his dictatorship or that of the jihadis. Framed this way, he emerges as an "enlightened moderate" or as the lesser evil. The Dec. 27 assassination of former Prime Minister Benazir Bhutto and the rioting that followed accentuated this viewpoint.

However, there is a third option. Return Pakistan to constitutional rule, as envisaged by its founder, M.A. Jinnah.

Jinnah was one of the top-ranking lawyers in British India and envisioned Pakistan as a secular and democratic state. After his death, his political party, the Pakistan Muslim League, carried out his views. Today this party has split into two factions: one allied with Musharraf, the other with former Prime Minister Nawaz Sharif. Both are secular, as is the People's Party, founded by Bhutto's father in 1967.

The religious political parties have never dominated the political scene. The only election in which they put up a strong showing was one conducted by Musharraf in 2002, which was marred by voter fraud and significant restraints on the secular parties. Neither Bhutto nor Sharif was al-

lowed into the country. Musharraf feared them so much that he amended the constitution to prevent either from being re-elected prime minister.

Even now, the power base of the religious parties is confined to the minority western provinces that border Afghanistan and Iran. Admittedly, as the war in Afghanistan has dragged on, their political base has deepened. But they are unlikely to ever gain sufficient momentum to run the country because their value system is at odds with that of mainstream Pakistanis, most of whom are religious but not interested in large-scale imposition of the social and political restrictions espoused by the Taliban.

Pakistanis are tired of Musharraf. For many years, they supported him because he represented a new beginning with political stability and robust economic growth. Now

inflation is rampant and income inequalities have reached alarming levels. Much of the recent rioting was a clash between those who owned private property and those who did not.

After he declared the emergency, the International Republican Institute released a survey of Pakistani public opinion that showed that two-thirds of Pakistanis wanted Musharraf to resign, and a majority wanted the army out of politics. In late November, in an unprecedented act, about two dozen retired senior military officers called upon him to restore the justices of the Supreme Court and to release all political prisoners.

Musharraf has not budged an iota. He contends that Pakistan's Supreme Court justices were endangering the return to democracy by indulging in "judicial activism." This is quite a gratuitous assertion by a man who in October 1999 came to power through "military activism" and who rules through an order that prostitutes the constitution by protecting him from any future prosecution.

The reason Musharraf has not budged is that he continues to enjoy the unstinted support of the Bush administration. It's time Washington dropped its one-man policy toward Pakistan.

The Feb. 18 elections must not be delayed any further and should be monitored by international observers for their fairness and transparency. The results must be honored, even if that means removing Musharraf from office.

A democratic Pakistan with a vibrant civil society would be Washington's best ally in that volatile region. Once the people of Pakistan see that the United States is not committed to one individual, the anti-Americanism that is sweeping the country will dissipate. ■

Pakistan's Musharraf has successfully sold to the American public the idea that one has to choose between his dictatorship or that of the jihadis.

BY LAURA S. WASHINGTON

Fat Kids, Fat Profits



I RECENTLY ENCOUNTERED A colleague at the movies. He was big when I saw him a year ago, but now he was barely recognizable.

Eleven days later, he was dead. He collapsed at work—three days after Christmas—and died of a heart attack. He was 46, married and at the apex of his career. He was “larger than life,” the obituary read.

A reporter at the top of his game is just one of many casualties. In fact, an estimated 112,000 Americans succumb to obesity-related illnesses every year, according to a 2005 study by the Centers for Disease Control and Prevention (CDC) in Atlanta.

In December, the *New England Journal of Medicine* reported on a devastating new study by researchers at Columbia University and the University of California, San Francisco. By 2035, the percentage of American adults with obesity-related coronary heart disease will increase by as much as 16 percent, and obesity-related heart disease deaths could grow by as much as 19 percent.

And in 2005, another study found that for the first time since the Civil War, Americans’ life expectancy is expected to decline by the middle of the 21st century, by an average of two to five years. The main culprit: obesity.

“The prospects if nothing is done are potentially catastrophic,” David Ludwig, director of the weight-management program at Children’s Hospital Boston and an associate professor at Harvard Medical School, told the *Kansas City Star* in December 2007. “The economic costs will be staggering,” said Ludwig, one of the researchers on the child obesity study.

Personal responsibility plays a role. There is plenty of research and education out there to knock down the excuses. Some people are getting it. Even singer Aretha Franklin, who for years drew snickers over her whale of a torso, announced last spring that she was turning to the Jenny Craig weight loss program.

Still, fat is big business. Chew on this: A new study funded by the Kaiser Family Foundation that analyzed TV ads aired nationally over five months in 2005 found that 34 percent of food ads that targeted children or teens hustled candy and snacks, and 10 percent pitched fast foods. A mere 1 percent advertised fruit juices. Not one of the 8,854 spots reviewed promoted fruits or vegetables.

Instead, turn on the tube for Cheetos, Ding Dongs

and Sprite. And, lest we forget, the ever popular Chicken McNuggets. A December 2007 report from the watchdog group Corporations and Health Watch found that McDonald’s peddles puzzles, cartoons, bikes, skates and scooters to lure children to the golden arches.

In 2006, Mickey D’s spent almost \$2.5 million a day on traditional advertising in the United States, according to the group. About 40 percent of that sum aimed at children.

In Florida, McDonald’s recently cut a deal with the Seminole County School Board to reward high-performing schoolchildren with the fried and true McDonald’s Happy Meal. Students in kindergarten through fifth grade will get a free Happy Meal from the local McDonald’s if they earn As and Bs, or miss no more than two days of school in the 2007-2008 school year. The message to

children is heinous: Get good grades—eat good grease.

Danya Proud, a McDonald’s spokeswoman based at the national headquarters in Oakbrook, Ill., told the *New York Times* that the Seminole County program was “a very

local decision.” Chicken McNuggets, a Happy Meal mainstay, is made with white meat, she noted, and children can choose options like apple slices and low-fat milk over soda and French fries.

Yeah, I’m sure they will.

Extrapolate it out. The mega corporations are urging us to drink Coke in the morning and down a three-piece KFC Extra Crispy for lunch, with a pile of Oreos on the side. It adds up to exploding obesity rates.

Luckily, pressure from consumer groups and government agencies are beginning to make a dent in the long slog against fat. After the nonprofit Center for Science in the Public Interest sued KFC in 2006, the fried chicken chain switched to using frying oil that is free of trans fats. The move has huge implications; “The Colonel” has more than 5,400 restaurants in the United States alone.

In November 2006, 10 major food and drink marketers, including McDonald’s, Coca-Cola and Campbell Soup, agreed to adopt new voluntary rules for advertising. They also promised to set aside at least half their child-related advertising to encourage healthier diets and lifestyles.

But there’s a ways to go—72 million ways, in fact—the number of Americans that the CDC currently classifies as obese. That’s a lot of reasons, too, to say “no” to the corporate interests that are pushing heart disease, diabetes and death.

Vote with your dollars. It might save your life. ■

Corporations are urging us to drink Coke in the morning and down a KFC Extra Crispy for lunch. It adds up to exploding obesity rates.

Mr./Ms. Change Goes to Washington

Candidates promise break from Bush, but how far will they go?

BY DAVID MOBERG

If Mr. or Ms. Change were a candidate for president, they would be the Democratic nominee by now. But we would not know precisely what candidate Change looks like. It's an idea—or image—that is as ambiguous as it is popular with voters.

Polling and early votes in the presidential race show that Democrats, many independents and some Republicans want a sharp break with the Bush era on both domestic and foreign policy. The data also show that they're ready for a departure from the conservative paradigm that started with President Reagan's declaration that "government isn't the solution; government is the problem" and went on to encompass President Clinton's supine acceptance that "the era of big government is over."

Now a strong majority sees an accumulation of problems—from uncaring healthcare to gross economic inequality, from global warming to globalization—that require profound government response. And in the aftermath of a botched war in Iraq and a bungled response to Hurricane Katrina, they want a government that is

effective, honest and open.

But Americans are notoriously skeptical of government—even if, practically, they support government solutions to many problems. The central challenge for Democrats, as the country opens up to a new progressive paradigm, is to restore trust in government action as a solution.

With the occasional rhetorical exception of former Arkansas Gov. Mike Huckabee, the Republican candidates can be counted on to mercilessly attack the functions of government—except to wage war and prevent abortions. Former Massachusetts Gov. Mitt Romney, for example, derides government provision of health insurance by asking audiences if they want the people in charge of Katrina to make their healthcare decisions. Never mind that private insurance companies are already doing everything harmful and restrictive that right-wingers menacingly project would occur with government insurance—and more.

But even self-proclaimed Democratic change advocates, like Sen. Barack Obama and former Sen. John Edwards, are cautious about expanding govern-

ment, especially on the key issue of health insurance. They sense—with some justification from public opinion polls—that people are still wary of government. And voting patterns complicate the politics of healthcare, according to pollster Celinda Lake, who does some work for Democrats and nonprofits: Roughly 95 percent of voters have health insurance (even if the insurance or quality of care is at risk), but "non-voting America is uninsured," she says.

Americans want government that will both protect and empower them, says George Lakoff, the noted political linguist from the University of California, Berkeley. He says that a democratic government is based on empathy and caring for each other.

Government has a moral mission to address issues other than physical security—to make society more fair and to empower individuals through education, research, infrastructure investment, labor law reform and other policies to have more power over their lives. Regarding healthcare, Lakoff says progressives should argue that protecting people



EMMANUEL DUNAND/AFP/GETTY IMAGES

against the inevitable threats to their health is as important as protecting them against national security threats.

Yet because people fear both risk and change, even with current political trends, Lakoff says that Democrats will fare better on health issues if they talk about guaranteeing care—not insurance or coverage. Lakoff, who argues that care should not be determined by the marketplace or private insurance companies, says that a government single-payer plan is conceptually correct but linguistically flawed. Instead he describes the progressive alternative as run by doctors and patients, who can choose what care they get and from whom—in order to cut through right wing fear-mongering about “socialized medicine” (the tag that Republicans will try to stick on any progressive reform, however modest).

But ultimately, even with more persuasive language, Democrats will have to defend the role of government against those who want to shrink it so, as conservative strategist and Americans for Tax Reform President Grover Norquist once said, they can drown it in a bathtub. Republican proposals for healthcare move in precisely the opposite direction, subjecting healthcare to the risks and inequities of the marketplace.

Democrats, like Obama, often say that the best healthcare plan would be a single-payer plan, where everyone is guaranteed care and can decide with their doctors the care they need. But none of the leading candidates, including Obama, advocates it.

“Why do so many leaders surrender in advance?” Lakoff asks. “It has to do with neoliberal thought. They’re not talking about the moral issues of care and empathy, but interests.” Democrats too often talk about the needs of children, veterans, the poor, or the middle class, not about a failure of the market or the moral mandate for government as a protector of the entire national community.

Americans distrust government in part because they distrust politics and politicians. Restoring trust in government requires restoring hope in politics. Obama has staked his candidacy on stirring up hopefulness. His candidacy rests as much on symbolism as policy. His youth, his rhetoric, his newness on the national scene, his background and racial heritage all coalesce into a symbol of a new departure for America that endeared him to younger voters in the Iowa caucuses.

While Obama and Edwards both attack lobbyists and the political influence money game, their visions of the new politics needed for change are starkly different.

Obama rejects what he portrays as artificial, partisan divisions. He appeals to the idea that as one America we can all sit down and reason together. Everyone can have a seat at the table and work out a mutually satisfactory solution. It’s a vi-

fairness to the average working family. And Edwards’ analysis of the country’s political reality and what a president will have to do is much more accurate than Obama’s. But Obama’s, sometimes mushy, message of hope acknowledges the real need to build a broad base of political support for reforms. And it may be more palatable to many Americans.

Experiences from the past and expect-

Ultimately, even with more persuasive language, Democrats will have to defend the role of government against those who want to shrink it so they can drown it in a bathtub.

sion that appeals to the young, the disaffected, the politically independent, and non-ideological people who are turned off by conflict. But Obama also appeals to liberals who see him as a leader who can build, as he argues he will do, large majorities that make change possible.

Edwards holds out hope for change but not without a fight. He sees the pernicious, powerful and greedy hands of big corporations as controlling politics and government, and blocking any change that will challenge their profits and power. Change will come, he says, by fighting those powerful interests on behalf of the “middle class.” This message appeals to many union members, political progressives and voters who want a politician who understands them. But Edwards does not symbolically embody change as strongly as Obama does.

Sen. Hillary Clinton’s supporters—older, lower-income, more regular Democrats than independents—seem attracted to her as a more familiar figure, identified with the economic boom of the late ’90s. But in New Hampshire, women—for whom Clinton embodies change as potentially the first female president—accounted for her narrow win over Obama.

Huckabee attracts some voters for being, in his words, more like someone they work with than someone who lays them off (a not-so-veiled reference to millionaire Romney). But while he rhetorically identifies with workers and against growing inequality, his policies still favor the men handing out pink slips.

By contrast, Edwards’ proposals, while weaker than his analysis of corporate power, would protect, empower and bring

tations for the future both shape political consciousness. Edwards’ populist class analysis reflects how the distribution of wealth and power from the past shapes the present. Breaking those chains is a necessary step for change. Obama downplays how wealth and power constrain possibilities for change and instead taps into the increasingly endangered American expectation for a brighter future.

A successful progressive president will have to meld both Edwards’ and Obama’s politics, battling entrenched power and building a wider coalition that seeks new ways in which government can protect and empower them. That president will also have to confront the need for more money to finance a new “New Deal” and for a fairer sharing of the nation’s prosperity. Reaching those objectives will require progressive taxes, starting with a rollback of the Bush tax cuts for the rich.

But the new president will also need the initiative to more fairly share the common wealth, by better regulating the financial sector, strengthening workers’ rights to organize, reducing America’s imperial footprint and stripping out waste from the private healthcare system.

Edwards and Obama seem to recognize that their success, if either is elected, will depend on their ability to mobilize enough support for their programs to overcome entrenched private interests. The greatest change will come only if this year’s presidential campaign can transform politics into a grassroots movement that lasts beyond the election. The real faces of Mr. and Ms. Change are in the audiences of voters in Iowa, New Hampshire and beyond. ■

First Came Katrina, Then Came HUD

Activists battle to save New Orleans public housing

BY LEWIS WALLACE

THE TEMPERATURE IN New Orleans was uncharacteristically cold in mid-December, dipping into the 30s. As thousands of homeless people living in encampments huddled in blankets, housing activists from around the country converged on the city to protest the demolition of more than 4,500 units of public housing, once at the epicenter of New Orleans' low-income African-American community.

In late November, the Housing Authority of New Orleans (HANO) had approved \$30 million in contracts to demolish the B.W. Cooper, C.J. Peete, Lafitte and St. Bernard projects. Public housing residents, lawyers, religious leaders and activists who attempted to stop the demolitions met police head on. But their efforts succeeded in delaying some demolition and gaining significant national support.

On Dec. 20, however, police fought activists from the Coalition to Protect Public Housing with pepper spray and Tasers on the steps of New Orleans City Hall.

The Department of Housing and Urban Development (HUD) plans to demolish the majority of New Orleans' historic public housing and replace it with so-called mixed-income neighborhoods. The post-Hurricane Katrina environment of government inattention and slashing of public services created an opening for HUD (which has controlled HANO since 2002) to execute a plan it claims was in the works prior to the storm.

Since Katrina, the homeless population of New Orleans has doubled to more than 12,000 people. Despite what the *New York Times* on Dec. 2 called an "acute rental shortage," HUD plans to spend \$762 million to demolish public housing and replace it with only 744 new units of affordable housing. HUD will spend an average of \$400,000 for each new mixed-income unit, while statements by HANO's own insurance company have shown that



More than 4,500 public housing units in New Orleans are scheduled for demolition.

many of the multiple-unit buildings to be demolished could be repaired for less than \$10,000 per building.

A human need

"Get these people off the street. It's cold outside!" said Sharon Jaspers, 58, a housing activist and former lifelong resident of the St. Bernard Projects in the 7th Ward. Jaspers, who spoke on the steps of City Hall on Dec. 18, was referring to the dozens of homeless activists and members of Homeless Pride camped out across the street in Duncan Plaza since July 4, 2007 to protest the lack of affordable housing. By mid-December, local charities were helping the hundreds of homeless secure housing after the city announced its intention to fence off the square and kick out residents.

Jaspers herself was among the tens of thousands displaced from St. Bernard in September 2005. She now rents an apartment on Dumaine Street near downtown. Like many other New Orleanians, Jaspers

says she is overwhelmed by high utility bills and terrible building maintenance.

In October 2006 a (New Orleans) *Times-Picayune* survey concluded that rents in Orleans Parish had gone up an average of 70 percent since the storm, and in some neighborhoods rents continue to rise.

"Our people work and they pay taxes," says Jaspers. "Housing is a human need and it's a human right. We have a right to be a part of this process." Jaspers says HUD wants to rid the city of poor people rather than involve them in the rebuilding process. "They wanted to make this a city for the rich," she says. "They're not thinking about poor, working-class people. All they had to do is revitalize some units, let the displaced families come home, and then start talking about redevelopment."

The St. Bernard housing projects have stood empty since the forced evacuation during Hurricane Katrina in 2005. Although the sturdy brick apartments

suffered only minor water damage and could have been rehabilitated, HUD and the city of New Orleans fenced off the row houses and kicked out former residents who attempted to squat in their own homes. Residents began immediately protesting their displacement.

On June 14, 2006, HUD and HANO announced demolition plans. And on June 26, a group of African-American public housing residents filed a class-action lawsuit, citing the agencies' obligation to "provide nondiscriminatory access to safe, affordable housing" and to keep contractual commitments to residents with leases.

The residents pointed to HUD Secretary Alphonso Jackson's statement in September 2005 that New Orleans "is not going to be as black as it was for a long time, if ever again." In April 2006, Jackson publicly stated that "[o]nly the best [public housing] residents should return. Those who paid rent on time, those who held a job and those who worked." (The FBI is now investigating Jackson for alleged inside dealings with HUD contracts in New Orleans.)

The right of return

Public housing in New Orleans was nearly 100 percent black at the time of the storm in 2005.

"They want to rid this city of black folks," said Malcolm Suber, a long-time local activist and one of the founders of the People's Hurricane Relief Fund. "We have livable spaces across the street from here and people can't live in them."

Suber spoke at a Dec. 15 demonstration outside St. Bernard, where about 100 people celebrated with food, music, dancing and speeches following a Dec. 14 state court order that forced City Council to take an active stance on the demolitions before HUD could proceed with its plans.

Kali Akuno, 35, the national organizer for the Malcolm X Grassroots Movement and one of the coordinators of the Coalition to Stop the Demolitions, said he believes the privatization of the city is a result of national right-wing efforts to privatize social services.

"HUD is destroying the material basis for the right of return," says Akuno, who sees St. Bernard as the epicenter of New Orleans' housing struggle.

Akuno says St. Bernard could house some of the tens of thousands of people receiving eviction notices from FEMA trailers, or used as transitional housing for the

growing homeless population.

Shortly after Akuno and others spoke at the Dec. 15 demonstration, police had a skirmish with protesters, arresting activist Cheri Honkala for allegedly "impersonating an officer." Honkala says she stepped out into the street to try to prevent a passing car from striking protesters. When Chicago-based activist Willie J.R. Fleming challenged Honkala's arrest, he says police cuffed him and threw him against a car. One cameraman, Richard Rowley of New York-based Big Noise Films, filmed Fleming's arrest.

Fleming, who is a director at the Chicago Coalition to Protect Public Housing, traveled with eight resident organizers from Cabrini Green housing projects in Chicago, where residents have been fighting demolitions since the late '90s.

Locked out

On Dec. 10, the Housing Conservation District Review Committee in New Orleans denied a permit to demolish Lafitte, an older development known for its sturdy townhouse-style construction. HUD immediately threatened to cut off funding and housing vouchers for former Lafitte residents if Lafitte is not demolished.

As protests continued on the ground, Sens. Barack Obama (D-Ill.) and Harry Reid (D-Nev.), as well as House Speaker Nancy Pelosi (D-Calif.), publicly requested a moratorium on the demolitions until more research is done into one-for-one replacement and the immediate needs of displaced residents. The Gulf Coast Recovery Act of 2007 would require a plan for replacement before demolitions begin. But as of December, the bill was held up in committee and lacked the key support of Louisiana's Republican Sen. David Vitter.

Despite the opposition, on Dec. 20, New Orleans' City Council voted unanimously to approve the demolitions without for-

mally meeting with residents. Before the vote, city officials locked out nearly 100 people who showed up to give input, claiming the council chambers were full.

When people inside demanded that more folks be let in, police reportedly tasered at least five leaders and dragged them out. Protesters who approached the gates after witnessing this were also reportedly tasered and pepper-sprayed. Fifteen people were arrested and one woman was rushed to the hospital when she began having seizures due to tasers.

That morning, New Orleans Mayor Ray Nagin sent a letter to City Council saying he had reached verbal agreements with HUD Secretary Jackson over rehabilitating a minimum number of units at Lafitte and St. Bernard, assuring that redevelopment begins directly after the demolitions, and expanding HANO's one-person board of directors to three people, including the mayor and a public housing resident, as a means for "local input and oversight."

If Nagin's words have weight, they could at least lead to a pause in the action while HUD, HANO and the City Council try to wait out the national attention.

"This image is not what they want to portray," says Akuno, referring to the protests and the homeless encampments. "It's not good for business."

Jaspers spoke with *In These Times* on the phone the day after Christmas as she waited for her daughter to fly in from Houston. Her four children, all from New Orleans, are now scattered around the country. She says Christmas has changed for her and her family since the storm.

Despite the physical, emotional and spiritual trauma, Jaspers says she will return to New Orleans along with many other longtime residents and their allies.

"It can make you bitter," says Jaspers, "and I'm tired of watching my people suffer. But I refuse to lay down." ■

**Imagine Karl Rove on meth
And you have Bush's shadow advisor,
Belacqua Jones.
Read his letters at
<http://belacquaajones.blogspot.com>**

BY ADAM DOSTER

KILLER CREDIT!



ATTACK OF THE \$915 BILLION CONSUMER DEBT MONSTER!

CANDACE ANGUS IS NOT one to break the rules. When she served on the Chicago police force for 25 years, it was her duty to maintain order. And as a longtime credit card user, she was never late on a payment and never in debt. So when she found interest on her Capital One balance considerably higher than she anticipated, she was irked.

A customer service representative explained that the charge was “residual interest” from two months prior that had not yet been applied. Although she didn’t grasp the concept fully, Angus swallowed the news and paid her next bill in full. Thirty days later, residual interest was still on

the statement, and higher than the month before. “[Capital One] caught me entirely by surprise,” she says. “I’d never heard of that practice before.”

What was this mysterious charge? Essentially, the payoff balance was obsolete by the time it reached Angus’ mailbox because interest continued to build as her bill slid its way through the mail system. If her check took a week to reach the processing center, seven days worth of interest was eventually tacked on. And this caveat was hidden in the contract’s fine print.

“It should be clear to the consumer that interest is being held up for a few months,” Angus fumes. “Is it to the benefit of the consumer or is it to the benefit of the credit card company?” While she acknowledges that others have it worse than her—because her problem didn’t lead to de-

fault or loads of debt—Angus’ experience typifies those of many. “All the cards don’t use that practice,” she says, “but they all catch you somehow.”

In the last quarter century, an unstable financial relationship was forged between Americans—grasping for an increasingly elusive mid-

the industry’s thorough deregulation.

With the freedom to act on their own accord, banks have implemented an array of confusing and punitive measures that bilk cash from clients.

“It’s pretty extraordinary to see how the industry has essentially created a diluted regulatory environment,

cards have universal default language in their contracts.

For people with substandard credit scores or limited credit histories, often low-income people of color, intensely marketed subprime or “fee-harvester” cards present a huge danger. These carry substantially higher

WEAK DISCLOSURE REQUIREMENTS ALLOW BANKS TO DOLE OUT 30-PAGE CONTRACTS IN SIX-POINT FONT, BURYING NONBINDING LEGAL ARBITRATION OR OMITTING BASIC TERMS OF CREDIT.

dle-class lifestyle—and credit card companies that offer strapped consumers a lifeboat. But without adequate regulation, the industry has used deceptive techniques to hoodwink consumers and accumulate more than \$30 billion in profits per year. Now, if legislators at the national level don’t step in, some analysts fear American’s affection for credit may widen the existing credit crisis.

Bearing the debt burden

First, the facts. Americans own almost 700 million credit cards and hold \$915 billion in consumer debt, with the average borrower owing more than \$9,000, according to Cardtrak.com, a top financial information website. For a rough comparison, the world’s 54 poorest countries owe a nudge under \$400 billion in total foreign debt. In 1970, 49 percent of Americans didn’t have a credit card. Today, only 7 percent don’t.

Coinciding with this rapid growth, the Supreme Court ruled in 1978 that banks could charge the maximum interest rate determined by state legislatures in the banks’ home states, not the interest rate of the states in which they do business. Unsurprisingly, credit card businesses moved to Delaware and South Dakota—two states with virtually no interest caps—thus rendering state usury laws worthless.

Twelve years ago, the court applied the same logic to the size of fees a bank can charge. Congress has refused to step in at the federal level, enabling

where they can basically do what they want to consumers,” says Robert Manning, author of *Credit Card Nation* and a professor of finance at the Rochester Institute of Technology.

Before the ’90s, most credit cards had one annual fee and a fixed rate. Today, they carry an assortment of charges that oscillate with the market and the cardholder’s credit risk. If a borrower overdraws, instead of just declining the transaction from the outset, companies tack on a fee of \$30 or more, on top of a 29.99 percent penalty rate on interest. If a payment is missed, an average late fee of \$34 is levied. That’s a \$21 hike since 1995, according to a 2006 Government Accountability Office report.

Late fees are endless, as well. Banks charge the borrower until he or she breaks, as opposed to canceling a delinquent card, which was once an established procedure. Vanity is the banks’ justification, claiming the practice allows customers to evade the humiliation of rejection.

Universal default is another vicious innovation. If applied, one lender can raise the terms of a loan to the default rate (27 percent, on average) when a customer fails to pay *another* lender, even if the customer’s record is perfect with the original bank. In theory, a technical error or fraud could trigger rate hikes on every card someone owns, a scary thought considering the average American has seven credit cards in his or her wallet. Roughly half of the banks that issue credit

interest rates and lower credit limits than cards granted to prime borrowers, and are laden with fees. In fact, it’s possible for subprime fees to absorb a borrower’s entire limit, leaving him or her with nothing to spend.

“The issue is how you make credit card loans to people with bad credit, and how you make money off of that,” says Jim Campen, executive director of Americans for Fairness in Lending (AFFIL). “And the solution is basically, give them a credit card but don’t give them credit, and charge them a lot of fees for doing it.”

Even highly responsible customers are at risk. In some circumstances, borrowers are subject to retroactive price hikes, meaning banks can enforce higher rates on old balances as well as new ones, even if none of the original payments were late. Two-cycle billing, a practice some banks use, calculates interest payments based on the average daily balance over two billing cycles as opposed to one, harming borrowers with divergent monthly balances, even if they pay promptly.

And the list goes on.

While it’s unlikely that sensible consumers would ever agree to these outrageous terms, many opt in unknowingly. In 2004, the *Wall Street Journal* found that a standard contract in the ’80s was one-page long. But weak disclosure requirements now allow banks to dole out 30-page contracts in six-point font, often burying important stipulations, such

AN INTERNATIONAL SWINDLE!

What happened

Hidden fees are a staple of the credit card industry, so it's no surprise that for a decade, seven issuing banks (Bank of America, Bank One/First USA, Chase, Citibank, HSBC/Household, MBNA and Washington Mutual/Provident) skimmed 1 percent to 3 percent off the top of their customers' foreign transactions without adequately notifying them of any fee.

These fees—paid on both credit and debit card transactions—amounted to approximate revenues of \$3.8 billion.

Lawyers estimate that 30 million clients were affected.

The suit

Thankfully, that practice has been shut down.

In July 2006, a class-action lawsuit on behalf of card-carrying travelers was preliminarily settled for \$336 million, meaning anyone who used a Visa, Mastercard and/or Diners Club card abroad between Feb. 1 1996 and Nov. 8, 2006 is eligible for at least a \$25 refund, depending on how often the user traveled abroad during that time.

How to get paid

If you received a letter in the mail, file your claim by May 30, 2008, and return it to U.S. District Court Settlement Administrator, P.O. Box 290, Philadelphia, Pa. 19105-0290.

If a notice didn't arrive but you believe you should be included, visit www.ccfsettlement.com and fill out a claim form, or call 800-945-9890 toll-free.

You'll be asked to provide an account number for one credit card you used abroad to prove eligibility,

as nonbinding legal arbitration, or omitting basic terms of credit.

Consumer advocates like Campen argue that credit card companies are counting on people to misunderstand the total cost of swiping a card. "[The contracts] are hard to understand if you do read them," he says. "You don't know at the time ... that you're signing your rights away."

Angus agrees. "Once you start getting a little risky, a little in debt ... they treat you completely differently," she says. "It's like they want to push you into dangerous waters."

And it has worked. Exploiting this asymmetry of information, credit card companies have reaped enormous earnings. R.K. Hammer, a California firm that evaluates credit card portfolios, found that the industry raked in \$36.8 billion in net pretax profits during 2006. Meanwhile, credit card debt has more than tripled since 1990.

Plastic safeguard

If credit cards are a trap, why don't people abandon them entirely? Because, experts say, people must have their basic needs met, which credit cards make possible.

"The perception ... is that credit cards are used for frivolous spending, that it's just easy money for people to use to buy their nice sneakers," says José Garcia, a senior researcher at the think tank Demos and author of a new study called "Borrowing to Make Ends Meet." "But they're not seen as a way that people have been dealing with economic shock."

Despite strong growth in labor productivity, hourly wages for most workers are not keeping up with inflation. In the last 20 years, incomes for the bottom 60 percent of households rose only 5 percent to 15 percent, according to the Bureau of Labor Statistics. Meanwhile, the average cost of living shot up 88 percent in that time.

Healthcare costs are a major contributor to this trend. A 2005 Commonwealth Fund study found that 77 million Americans age 19 and older "have difficulty paying medical bills, have accrued medical debt or both." A Harvard review of 1,771 bankruptcy filings found that illness or medical bills were the cause of half of such filings,

and that 75 percent of those who defaulted were initially insured.

But the problem extends further. As legislators disinvest from education, the average cost of college increased 165 percent between 1970 and 2005. In 2006 alone, it rose 6 percent, outpacing wages, inflation or financial aid.

What's more, the housing bubble pushed prices through the roof, leading to the doubling of median mortgage debt from 1989 to 2004.

Childcare, transportation and food cause concerns, as well. And as personal savings are drained—Garcia estimates they are at the lowest levels since 1934—folks must choose between their plastic safety nets or financial ruin.

These facts were largely ignored when Congress passed the infamous bankruptcy bill of 2005. Restructuring the bankruptcy code was a major priority for credit card companies, as they claimed hundreds of thousands of debtors were frivolously filing for bankruptcy—thus discharging the debts they owed to the banks—when they had the means to cover the unpaid sum. In reality, this was a crisis entirely invented by the banks. The nonpartisan American Bankruptcy Institute estimates that only 3 percent of filers are able to discharge debts they can actually afford.

Mere facts didn't stop the creditors. In 1997, lobbyists wrote the core of a bill that pushed more people from Chapter 7 bankruptcy into the less forgiving Chapter 13 bankruptcy, which forces households to accept three-year to five-year repayment plans on secured and unsecured debts. Although it stalled in the Senate numerous times, credit card companies and commercial banks pushed hard, donating \$25 million and \$75 million, respectively, to federal candidates and the political parties between 1999 and 2005. (See graph on page 28.) All that effort paid off in 2005 with so-called reforms that made it increasingly difficult for working households to crawl out from under their arrears.

Continuing crisis?

Although the current debt levels are foreboding enough on their own, last summer's credit crunch elicits new, more unsettling fears. Like mortgages, credit card debt is often carved up

and sold on global debt markets as securities. Since borrowers generally pay back what they owe, that debt has been profitable and safe for traders, which explains the \$40 billion increase in securitized credit card debt from September 2005 to 2006.

However, credit cards are showing new signs of stress. When debt was cheap and housing prices were sky-high,

denied at least one credit card. The result? The total number of personal bankruptcies is expected to jump to at least 120,000 this year, estimates Grant Thornton, an accounting firm. That's triple the number in 2004. In a recent poll by the U.K.-based price comparison website uSwitch.com, 23 percent of Brits called their current debt level "unmanageable."

Some labor unions have stepped up, as well. The Service Employees International Union (SEIU), as part of an initiative targeting banking practices that damage the financial security of working people, is taking aim at Bank of America. According to the union, the bank is creeping up against the federal regulation that prohibits any single bank from controlling more than 10 percent

'CERTAIN BANKS DON'T HAVE ANY ROOM, WHICH MEANS THEY WILL SQUEEZE THEIR CREDIT CARD DIVISIONS FOR MORE CASH FLOW TO HELP UNDERWRITE THE LOSS OF MORTGAGE FEES AND UNDERWRITING FEES.'

many Americans used their homes as piggy banks, borrowing against them to finance both their debts and once-unattainable goods. Now, with the home-equity faucet forcibly shut off, over-leveraged borrowers are forced to find alternative ways to keep up with their bills, often ratcheting up credit card use to compensate.

New data from the Federal Reserve sheds light on this trend. In November 2007, credit card debt surged at an annual rate of 11.3 percent, a six-month high. For a comparison, credit card debt jumped 6.1 percent in 2006, and only 3.1 percent in 2005. Delinquency rates are also on the rise, albeit more slowly. For vulnerable working people, this new debt can be tough to cover.

These developments are problematic because credit card debt is unsecured, meaning no portion of defaults can be salvaged. Yet broader dangers lurk on a macro scale. If those bundled securities of debt decline in value, as mortgage-backed securities did last summer, banks and institutional investors (pensions, mutual funds, hedge funds) could all take a major hit, which could cause comparable damage to the broader economy.

England offers a disturbing precedent. The real estate market there buckled about 18 months ahead of the U.S. collapse. As banks tightened their lending criteria at the end of 2005, credit card delinquencies jumped as much as 50 percent. The British online publication *Finance Markets* reported that between March and November 2007, at least 10 percent of Britons were

Like their counterparts overseas, U.S. credit card companies have been dealing with the lack of liquidity in self-interested ways. "Certain banks ... don't have any financial room," says Manning, "which means they are going to have to squeeze their credit card divisions for even more cash flow to help underwrite the loss of mortgage fees and underwriting fees."

Consequently, analysts have witnessed interest rates rising, credit limits falling and low teaser rates disappearing—decisions that may add durable stability but will squeeze strapped borrowers in the short term.

"This is affecting people across the board," says Garcia. "As people feel the subprime crisis, credit card companies are putting additional strain [by raising their] credit card interest rates, which also will increase the amount of economic instability in households."

Regulatory roadblocks

With the threat of a recession looming, grassroots pressure is building to protect borrowers from the credit card industry's worst abuses. The most encouraging effort is the formation of Americans for Fairness in Lending AFFIL. Founded in August 2006, AFFIL is an umbrella organization that develops public messaging campaigns for its 18 consumer rights allies, which are free to focus on the nuts and bolts of lobbying and mobilizing. "Our role is to publicize and get out the message," says Campen, "and hopefully that will lead people to get engaged."

of the country's deposits.

To counter, SEIU released reform measures for holding Bank of America accountable to consumers. The union also collected reports of racial discrimination in lending, tax evasion and merger-related job cuts as leverage.

Even Congress, which to this point has largely overlooked the consumer debt crisis, is beginning to take action.

Headed by Sen. Carl Levin, (D-Mich.), the Permanent Subcommittee on Investigations had bank officials testify in

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WHO NEEDS CREDIT WHEN YOU CAN GET DONATIONS?

While 93 percent of Americans keep credit cards in their pockets, the credit card industry has wiggled its way into the pockets of various federal legislators, thwarting valuable reform along the way.

Below is a list of the representatives and senators most beholden to consumer bank money during the past two election cycles. (*Italics* represent candidates who lost their election.)

2006 ELECTION CYCLE:

- 1: Clinton, Hillary (D-NY), \$372,595
- 2: Santorum, Rick (R-PA), \$311,230
- 3: Kyl, Jon (R-AZ), \$223,075
- 4: Ford, Harold E Jr (D-TN), \$220,800
- 5: DeWine, Mike (R-OH), \$219,300
- 6: Talent, James M (R-MO), \$218,650
- 7: Pryce, Deborah (R-OH) House, \$216,325
- 8: Corker, Bob (R-TN), \$207,825
- 9: Kennedy, Mark (R-MN), \$202,450
- 10: Lieberman, Joe (I-CT), \$194,800
- 11: Dodd, Christopher J (D-CT), \$185,150
- 12: Carper, Tom (D-DE), \$180,769
- 13: Hutchison, Kay Bailey (R-TX), \$176,500
- 14: Bachus, Spencer (R-AL) House, \$170,365
- 15: Nelson, Ben (D-NE), \$155,005
- 16: McConnell, Mitch (R-KY), \$143,000
- 17: Allen, George (R-VA), \$140,230
- 18: Baker, Richard (R-LA) House, \$133,550
- 18: Hensarling, Jeb (R-TX) House, \$133,550
- 20: Menendez, Robert (D-NJ), \$132,300

2008 ELECTION CYCLE: PRESIDENTIAL RACE CHANGES THINGS

- 1: Clinton, Hillary (D), \$935,658
- 2: Obama, Barack (D), \$870,456
- 3: Romney, Mitt (R), \$602,391
- 4: Giuliani, Rudolph W (R), \$598,501
- 5: McCain, John (R), \$583,700
- 6: Dodd, Christopher J (D), \$456,000
- 7: Richardson, Bill (D), \$164,114
- 8: Edwards, John (D), \$153,650
- 9: Coleman, Norm (R-MN), \$140,400
- 10: Biden, Joseph R Jr (D), \$134,575
- 11: Cornyn, John (R-TX), \$125,598
- 12: Rangel, Charles B (D-NY) House, \$110,850
- 13: Bachus, Spencer (R-AL) House, \$100,800
- 14: Thompson, Fred (R), \$96,925
- 15: Durbin, Dick (D-IL), \$92,700
- 16: Pryor, Mark (D-AR), \$78,592
- 17: Baucus, Max (D-MT), \$77,750
- 18: Graham, Lindsey (R-SC), \$76,576
- 19: Reed, Jack (D-RI), \$76,521
- 20: Roberts, Pat (R-KS), \$73,100

April and December 2007 to investigate excessive fees and the arbitrary increases in consumers' interest rates.

In January 2007, the Senate Banking Committee, chaired by Christopher Dodd (D-Conn.), challenged credit card executives to defend rising late fees and predatory marketing.

Two bills have been proposed: a Levin-sponsored Senate bill that would make it harder for creditors to charge hidden fees and bump rates without notice, and a House bill authored by Rep. Mark Udall (D-Colo.) that would amend the Consumer Credit Protection Act to enhance consumer disclosures and protect underage consumers.

Yet neither bill has gotten off the ground, and the prospects aren't encouraging. Part of the reason is timing: addressing the mortgage mess has preoccupied lawmakers who monitor the financial services industry. The overrepresentation of moneyed interests on the Hill is important, too. The American Bankers Association recently commissioned Jonathan Orszag, co-founder of economics consulting firm Competition Policy Associates and a former economic adviser to President Clinton, to issue a report arguing that federal oversight would be counterproductive.

In the 2006 election cycle, credit companies—JPMorgan Chase, Bank of America, Citibank, Capital One and HSBC—made \$7 million in congressional campaign contributions. And it doesn't help that two leading Senate Democrats, Dodd and Hillary Clinton (D-N.Y.), represent large consumer-banking constituencies.

These roadblocks won't keep angry borrowers and their advocates from fighting.

But until adequate regulations are put in place to safeguard consumers from their cards, and the need for borrowing is minimized by boosting earnings for working people, Americans will keep answering those mail solicitations.

"Why should anybody be allowed to put out unfair products," asks AFFIL's Campen, "which are simply designed to trap the unaware. In theory, we regulate toys, water, food, drugs, and we don't want to have toxic products in any of those areas. We shouldn't have toxic credit products either." ■

Extraordinary Rendition on Trial

ACLU tries to ground the Boeing subsidiary that trafficked in torture

BY CHRISTOPHER MORAFF



ON NOV. 1, 2002, Bisher Al-Rawi, a citizen of Iraq, was preparing to board a plane at Gatwick Airport in London, en route to Gambia, when screeners found something suspicious in his luggage.

Al-Rawi—a permanent resident of the United Kingdom who worked sporadically as an interpreter for MI5, the U.K. counterintelligence agency—was traveling to Africa to set up a nut-oil processing venture there, having spent the previous months obtaining the necessary permits and licenses from Gambian authorities.

It took four days for British authorities to conclude the object he was carrying was nothing more than a common store-bought battery charger. On Nov. 4, Al-Rawi was released from custody, but by then, a course of events had been set in motion that would launch Al-Rawi on a

five-year Kafkaesque odyssey ending with his March 2007 release from U.S. detention at Guantánamo Bay. Unbeknownst to him, Al-Rawi was about to become the subject of a then-secret CIA program known as “extraordinary rendition.”

In August 2007, Al-Rawi and a second man, Mohamed Farag Ahmad Bashmih—38-year-old Yemeni citizen who underwent a similar ordeal in 2003—joined in an ACLU lawsuit against Boeing subsidiary Jeppesen Dataplan, alleging the company played a critical role in their renditions. A total of five plaintiffs are named in the suit, each of whom, it is alleged, was rendered with planning and logistical support from Jeppesen. The other three plaintiffs, Ahmed Agiza, Abou Elkassim Britel and Binyam Mohamed, remain in custody in Egypt, Morocco and Guantánamo Bay, Cuba, respectively. All five say they were subjected to an array

of physical and mental abuse—ranging from sleep deprivation to electric shock torture—at the hands of their captors.

This is the second time the ACLU has challenged extraordinary rendition in open court. The first case was that of Khalid El-Masri, a German citizen who, in 2003 the CIA rendered to Afghanistan while El-Masri was vacationing in Macedonia.

The ACLU, on El-Masri’s behalf, sued former CIA head George Tenet and several shell companies operated by the agency. In 2006, El-Masri’s claim was dismissed after the U.S. government argued that a public trial would “present a grave risk of injury to national security.” Last October, the U.S. Supreme Court refused to hear the case on appeal.

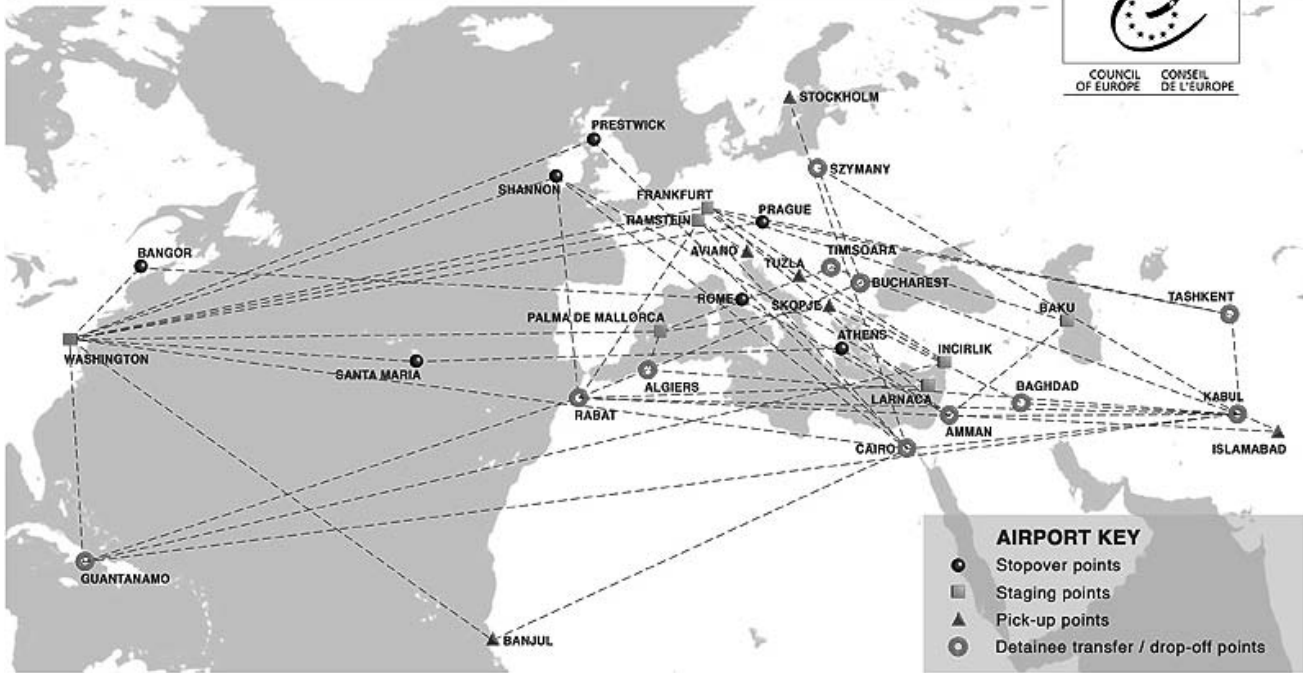
But the Jeppesen case is the first time a U.S. public company has been taken to task for its complicity in the rendition program.

The global “spider’s web” of secret detentions and unlawful inter-state transfers

Rapporteur: Dick Marty, Switzerland, ALDE

Committee on Legal Affairs and Human Rights

Parliamentary Assembly
Assemblée parlementaire



According to the company’s website, Jeppesen Dataplan is an international flight operations service provider that coordinates everything from landing fees to hotel reservations for commercial and military clients.

Evidence shows that a unit of the company—Jeppesen International Trip Planning Service (JITPS)—provided logistical support to the CIA for the renditions of at least seven people: aid that the ACLU calls “critical” to the program’s operational success.

What’s more, the complaint alleges that Jeppesen intentionally submitted “dummy flights” to various aviation authorities in order to conceal the true flight paths of the rendition planes.

Among the witnesses for the plaintiffs is a former Jeppesen employee, Sean Belcher, who says that during his orientation as a technical writer at the company’s San Jose facility, he was told by the managing director of JITPS that the company provided support services for so-called CIA “torture flights.”

Belcher worked for Jeppesen for a little more than a month before resigning, five days after he learned of the company’s CIA link, he says.

Jeppesen declined to comment in depth on the case, saying it is against company policy to discuss pending litigation. But

in an e-mail, company spokesperson Mike Pound dismissed Belcher’s statement as “hearsay,” adding that Jeppesen manages flight logistics and planning for thousands of organizations and people, and it is not necessary to know the specific nature of a customer’s flight.

“In the event that we learn something about the purpose of a flight, our customers have the reasonable expectation that it will be held in confidence,” Pound said. “We do not comment on any work done for any customer without their consent.”

To litigate the case, the ACLU is relying on the Alien Tort Claims Act, a federal law dating from 1789 that gives U.S. courts jurisdiction over civil actions filed by foreigners who allege violations of the law of nations or a treaty of the United States. The same law recently enabled three Chinese dissidents to file suit against Yahoo! for sharing information with the Chinese government that led to their arrests. Yahoo! settled that case in December 2007 for an undisclosed sum.

If the Bush administration has its way, the Jeppesen case will never get that far. The government has filed a motion to dismiss the lawsuit, once again evoking the “state secrets” privilege.

Echoing its argument in the El-Masri case, the United States asserts in its filing that disclosure of details of the ren-

dition program—or even admitting that the plaintiffs were rendered—“could be expected to cause serious and, in some cases, exceptionally grave damage to national security.”

But the success of the motion rests largely on the government’s claim that the rendition program constitutes a state secret, an assertion that is becoming increasingly difficult to maintain.

In its response to the motion to dismiss, the ACLU has presented roughly 1,000 pages of documents that suggest the CIA’s rendition program was anything but a secret. Included are everything from actual flight plans to petitions for the release of specific detainees and reports on the rendition program from the European Parliament, the United Nations and the governments of Sweden and the United Kingdom.

“Since El-Masri there is more information in the public domain about the rendition program,” says Ben Wizner, one of the ACLU’s lead attorneys on the case. “Every month that goes by, it gets harder and harder for the United States to make a straight-faced argument that the rendition program is a black-box clandestine operation.”

In addition, says Wizner, increasingly more of that information is coming from the federal government itself.

"You have the president publicly revealing, confirming and defending the rendition and detention program. You have [CIA Director] Mike Hayden giving speeches at the Council on Foreign Relations and going on Charlie Rose to talk about the rendition program.

"It is interesting to see the length the U.S. government is going to try and prevent any accountability for its contractors," Wizner says.

Requests for comment from the U.S. attorney that filed the government's motion to dismiss, Michael Abate, were directed to the Justice Department's public affairs office. Department spokesperson Charles Miller subsequently declined comment.

The Dark Prison

Days after his run-in with airport authorities at Gatwick, Al-Rawi flew without incident to Banjul, Gambia, where—on a tip from the British—he was promptly detained by local intelligence officials. Within a month, he found himself strapped to a stretcher in a CIA-operated Gulfstream V jet aircraft with no idea where he was being taken or by whom.

Flight records show that Bisher Al-Rawi was flown to Kabul, Afghanistan, where intelligence reports confirm that the United States detained him at a secret CIA facility known as the "Dark Prison," and later at Bagram Air Base.

In a sworn affidavit, Al-Rawi describes what happened to him upon his arrival:

From the outset I was held in complete darkness and isolation and kept in leg shackles 24 hours a day. I was given very little water and fed only once every one or two days. Despite the extreme cold, I was not provided with adequate clothing or blankets. Strange music and loud man-made sounds were played around the clock, which in addition to the screams of other prisoners around me, made sleeping extremely difficult.

At the end of the day, the case is about sending a clear message to U.S. companies that they will be held accountable for profiting from human rights violations.

He says things got worse after U.S. officials transferred him to Bagram. "I was kicked and dragged along the floor ... held in a squalid cell [for two months] and forced to undergo prolonged periods of isolation and sleep deprivation," he testified. "I was threatened with death or transfer to another country to be tortured."

Al-Rawi was finally transferred to the U.S. Naval Base at Guantánamo on Feb. 7, 2003, where he would spend the next four years without being charged. He was released on March 30, 2007, and was flown on a luxury Lear Jet back to the United Kingdom, where he currently resides. He has received neither an apology nor an explanation for his ordeal.

Breaking the Code

Connecting Jeppesen Dataplan to the rendition flights was nothing short of a journalistic grand slam.

In 2005, Italian investigative reporter Claudio Gatti "broke the Jeppesen code" when he managed to trace the company's unique originator identification number to specific rendition planes using public flight databases.

Then in 2006, journalist Stephen Grey further exposed the nuts and bolts of the program with his book *Ghost Plane: The True Story of the CIA Torture Program*, in which he documents the cases of nearly 90 people who were rendered by the CIA.

Between the work of the two journalists and that of the U.N. Committee on Torture and governmental agencies throughout Europe, there's little about extraordinary rendition that hasn't been exposed.

What is clear is that the activities that constitute the program are illegal under universally accepted international standards and conventions.

Among them, U.N. General Assembly Resolution 47/133, ratified in 1992, expressly prohibits "enforced disappearances," and spells out that such operations "render their perpetrators and the state or state authorities which organize, acquiesce in or tolerate such disappearances liable under civil law."

The Jeppesen plaintiffs are seeking compensation of no less than \$75,000 each and unspecified punitive damages.

But the ACLU's Wizner says at the end of the day, the case is about sending a clear message to U.S. companies that they will be held accountable for profiting from human rights violations.

"More and more of our military and security services are turning to private contractors and it might very well be difficult for them to carry out these operations without these contractors," Wizner says. "If some of those private contractors look at the Jeppesen case and think twice before taking the CIA's money to participate in these illegal and immoral operations, then we will have succeeded." ■



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The Next President's Iran Dilemma

Why undoing Bush's foreign policy won't be easy

BY CHRIS TOENSING

QUICK: Who is the strategic victor, to date, of the war in Iraq? Nearly everyone outside the Bush administration (and perhaps some within it) would answer: the Islamic Republic of Iran.

The catastrophe of the U.S. occupation of Iraq has bolstered the clerical regime in Tehran, while souring ordinary Iranians on the prospect of U.S.-delivered "democracy." The occupation has done so by emplacing Iranian-backed Shiite Islamists in power in Baghdad and cooling the jets of those in Washington hoping to "shock and awe" Iran's mullahs.

Meanwhile, Iran has proceeded with its efforts to obtain enriched uranium, the material it needs for the peaceful generation of nuclear power, but that the international community fears it would use to manufacture an atomic bomb.

Top Democrats have periodically seen in Iran's rise an opportunity to cast President George W. Bush as weak on national security. Road-testing this approach in early 2006, Sen. Hillary Clinton (D-N.Y.) declared, "I believe we lost critical time in dealing with Iran because the White House chose to downplay the threats and to outsource the negotiations" over uranium enrichment to the Europeans.

On Sept. 26, 2007, she voted for a measure co-sponsored by Iran hawk, Sen. Joseph Lieberman (I-Conn.), urging Bush to label Iran's Revolutionary Guards a "terrorist organization" arming and funding Shiite militias in Iraq. Two days earlier, Clinton's rival Sen. Barack Obama (D-Ill.) had sent a statement to a pro-Israel rally in New York calling Iran "the greatest strategic challenge to America in the Middle East in a generation."

Such hyping of the Persian peril has coexisted uneasily in Democratic and foreign policy establishment rhetoric with the specter of another military misadventure by the Bush administra-



An Iranian woman walks past a poster of a surrendering U.S. soldier after the Friday prayer at Tehran University on Nov. 2, 2007.

tion. Clinton's rivals for the Democratic nomination inveighed against her Sept. 26 vote, especially after the White House designated the Revolutionary Guards a "proliferator of weapons of mass destruction," and its Quds Force a "supporter of terrorism," on Oct. 25.

Former Sen. John Edwards accused Clinton of aiding "George Bush, Dick Cheney and the neocon warmongers" and their references to "World War III." Then, the worry that Bush would attack Iran evaporated with the release in early December of declassified portions of a new National Intelligence Estimate (NIE).

The NIE, in an abrupt reversal of the U.S. intelligence community's previous best guess, stated that Iran has not had an active program for building the bomb since 2003. A mild euphoria gripped Washington, except the White House where spokespeople were sheepish, and the right-wing think tanks where Iran hawks muttered darkly about State De-

partment derailment of the Bush-Cheney agenda. Within two weeks, however, the euphoria wore off, and the old bipartisan consensus—Iran is a threat—reemerged.

Fearing the NIE

The renewed disquiet, oddly enough, draws upon the fulminations of the Iran hawks. Laura Rozen, one of the best-informed reporters following the Iran story, wrote for *Mother Jones* on Dec. 18 that a Democratic congressional aide who works on non-proliferation was impressed by the logic of former U.S. Ambassador to the United Nations John Bolton in lamenting the publication of the NIE's key findings. "While the president and others argue that we need to maintain pressure on Iran, this 'intelligence' torpedo has all but sunk those efforts, inadequate as they were," Bolton complained on the *Washington Post* op-ed page. "Ironically, the NIE opens the way for Iran to achieve its military nucle-

ar ambitions in an essentially unmolested fashion, to the detriment of us all.”

Understanding this twist requires a brief recap of the international standoff over Iran’s nuclear research program. Since exiled Iranian oppositionists exposed the nuclear effort in August 2002, Tehran has maintained that it seeks only to generate nuclear energy to light Iranian cities. As a signatory to the Nuclear Non-Proliferation Treaty (NPT), Iran has a right to conduct such research, provided that the International Atomic Energy Agency (IAEA) can verify that the program is exclusively peaceful.

The United States, however, insisted that the Islamic Republic could not be allowed to enrich uranium because that fuel could be diverted to military use. (The IAEA, to date, has found no evidence of a weaponization program, but nor can it issue Iran a clean bill of health.)

Meanwhile, unwilling to give up its right under the NPT, and underestimating European concern about its presumed nuclear ambitions, in 2006, Iran canceled a “voluntary” suspension of enrichment. The U.N. Security Council soon passed a resolution forbidding enrichment and mandating sanctions if Iran did not resume full cooperation. Two modest sets of U.N. sanctions have been imposed.

Bolton—who derides the IAEA as the United Nations’ nuclear “watchpuppy”—is not alone in distrusting Tehran’s intentions, NIE or no. Iran’s continued enrichment of uranium is the real hang-up.

George Perkovich, who oversees the South Asia Project at the Carnegie Endowment for International Peace, channeled the concerns of many Democratic-leaning non-proliferation specialists in a briefing on Dec. 4, shortly after the NIE’s release. Both “disappointed hawks and relieved doves,” Perkovich wrote, should recall that the U.N. resolution proscribed enrichment—not active weaponization. But the NIE, by taking U.S. air strikes “off the table,” had robbed the “doves” and the hawks of the “leverage” that the military option provided.

Now, how would the international community convince Iran to, in Perkovich’s words, “reassure its neighbors and the world that it is not gaming the inadequate nuclear rules in ways that could enable it to change its mind, break the rules and very quickly build nuclear weapons?” How, moreover, would the United States keep the Iranian nuclear file before the Security Council?

The IAEA, Russia and China had only acquiesced to more aggressive inspections and the initial sanctions because they believed they *had to* in order to avert war.

That, said the Democratic Hill staffer interviewed by Rozen, is why he was listening to Bolton with new ears. After the NIE, he feared, the United States would be harder-pressed to win a new round of sanctions on Iran at the Security Council—“our best hope for derailing the Iranian nuclear program and stop[ping] short of military action.”

The ‘paradigm of enmity’

Across the political spectrum that matters most in Washington today, the fundamental logic of coercive diplomacy holds sway, as does the fundamental belief that U.N. institutions are really to be trusted only when following a U.S. agenda.

At a deeper level, there is an inability or unwillingness to transcend what Trita Parsi of the National Iranian American Council calls the “paradigm of enmity” between the two countries. This durable paradigm, forged in the heat of the 1979 Islamic Revolution and the ensuing hostage crisis, has made bashing Iran a cost-

free activity for generations of American politicians of both parties, even in the years between 1997 and 2004, when reformist clerics in Tehran sought an opening to the West. It explains why the Bush administration spurned Tehran’s offer in 2003 to convene direct bilateral talks on all outstanding grievances.

At root, the urge to defeat Iran is why Secretary of State Condoleezza Rice, when conveying her own offer for bilateral talks with Iran in 2006, included the “poison pill” that Iran first cease and desist from enrichment of uranium. By tying talks to Iran’s right under the NPT, at that time still not limited by the Security Council, Rice ensured that Iran would say no.

Today, Parsi argues, such demands for suspension make even less sense as a tool of non-proliferation. “If the Iranians really want to get a nuclear weapon, the best thing they can do right now is suspend,” Parsi says, because then the attentions of the Security Council and the IAEA would decrease in intensity.

On the Iranian side, the rout of the reformists, due partly to their failure to stop Iran’s international isolation, has empowered hardliners who still feel the fervid

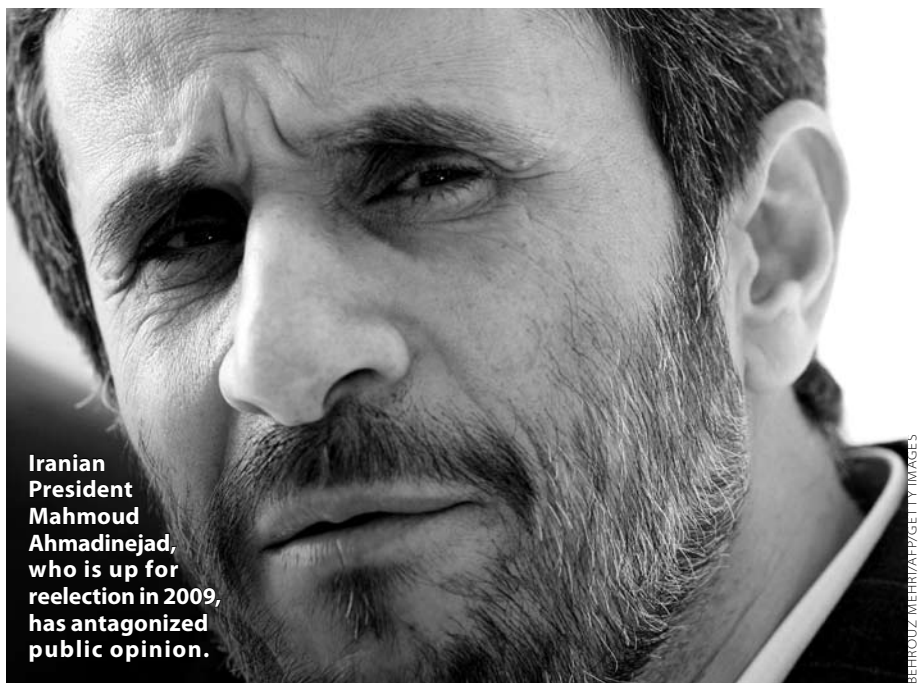
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Iranian President Mahmoud Ahmadinejad, who is up for reelection in 2009, has antagonized public opinion.

REHROUZ MEHR/AFGETTY IMAGES

certitude of the revolution's early years.

Iranian President and hardliner Mahmoud Ahmadinejad has done his best to further the paradigm of enmity. Ahmadinejad has antagonized international public opinion, as well as European states, whose good will Tehran once counted on in its face-off with Washington, by his Holocaust denial and indifference to the impressions of outsiders. He does not call the shots about Iran's nuclear program, but his mere presence in office greatly diminishes confidence in Iran's intentions.

Ahmadinejad faces a tough battle for reelection in 2009, and his already narrow powers may be further crimped after Iran's 2008 parliamentary contests. In the United States as well, the prospect of a change in government is the real hope for a breakthrough in the precarious U.S.-Iranian stalemate. The risks were underlined by the Jan. 7 faceoff between Iranian speedboats and three U.S. warships in the Straits of Hormuz, which a Pentagon official called "the most serious provocation of this sort that we've seen yet."

Legacy of failure

The Bush administration will apparently continue to push for a third Security Council resolution containing tougher sanctions. Russia and China will oppose this quest. Meanwhile, Russia has sent Iran a shipment of enriched uranium for its power plant under construction at Bushehr on the Persian Gulf coast, a move

that Washington applauded (since it removes the need for Iran to learn to enrich its own uranium). Iran, nevertheless, says it will continue enrichment.

Bush has repeatedly stated that an Iranian nuclear weapon is "intolerable," fueling the notion that he would order in the bombers well before Iran actually had one. But the enormous unresolved questions in Iraq, as well as the time bought by the NIE's judgment that, should Iran restart weaponization efforts, a bomb would be three years to eight years away, will almost certainly place the issue of Iran on the desk of the next president.

Republican candidates have echoed Bush's bellicose stance, though any of them would be constrained by the war in Iraq and the likely Iranian retaliation there and elsewhere to a military strike.

No major Democratic candidate has forsworn the military option, either. Though Clinton now speaks constantly of "diplomacy" when asked about Iran to protect her left flank, she means little more than the coercive measures that Bush has employed.

Obama and Edwards, while speaking constantly of "sticks" lest they seem unmanly, have each broached more expansive definitions of diplomacy, with Obama going as far as to promise "aggressive personal diplomacy" without preconditions, a significant improvement (assuming his Iranian counterpart was willing) upon the status quo. Obama says

such talks would be part of his plan to remove U.S. combat troops from Iraq, indicating that he understands that Washington is the supplicant in that particular parley with Iran. Such is also the obvious line of domestic political counter-attack, and Obama stresses that any "carrots" for Iran would be predicated on "changes in behavior" whose adequacy, no doubt, the United States would determine.

It is possible to imagine countless reasons, independent of events on the ground, why the talks could be stillborn. Nonetheless, should such ideas make it into the general election, Americans would be presented with a clear choice.

The alternative prospect, though, is that the Bush years have placed the United States and Iran on a pathway toward an inevitable confrontation. Tehran's price for helping the United States out of Iraq would be steep, the psychic wound to American nationalists unavoidable.

No frontrunner, moreover, shows signs of having rethought the long-standing bipartisan consensus behind the U.S. "forward-leaning posture" in the Persian Gulf, a troop deployment and a geopolitical claim that puts Washington and Tehran structurally at odds.

Key elements of the bipartisan foreign policy establishment will argue for vigorous U.S. intervention in whatever course the international community pursues with regard to Iranian uranium enrichment. Actions that Washington dislikes will be portrayed as evidence of hopeless U.N. inefficacy, as was the case with Hussein's Iraq. And, of course, a nuclear-armed Iran would be "intolerable" to any conceivable occupant of the White House.

It once seemed that Bush had previewed his Iran policy legacy—in typical mangled syntax—in Sun City, Fla., on May 9, 2006. Asked about Iran there, he replied, "As you know, I've made the tough decision to commit American troops into harm's way. It's the toughest decision a president can ever make, but I want you to know that I tried diplomacy—in other words, a president has got to be able to say to the American people, diplomacy didn't work."

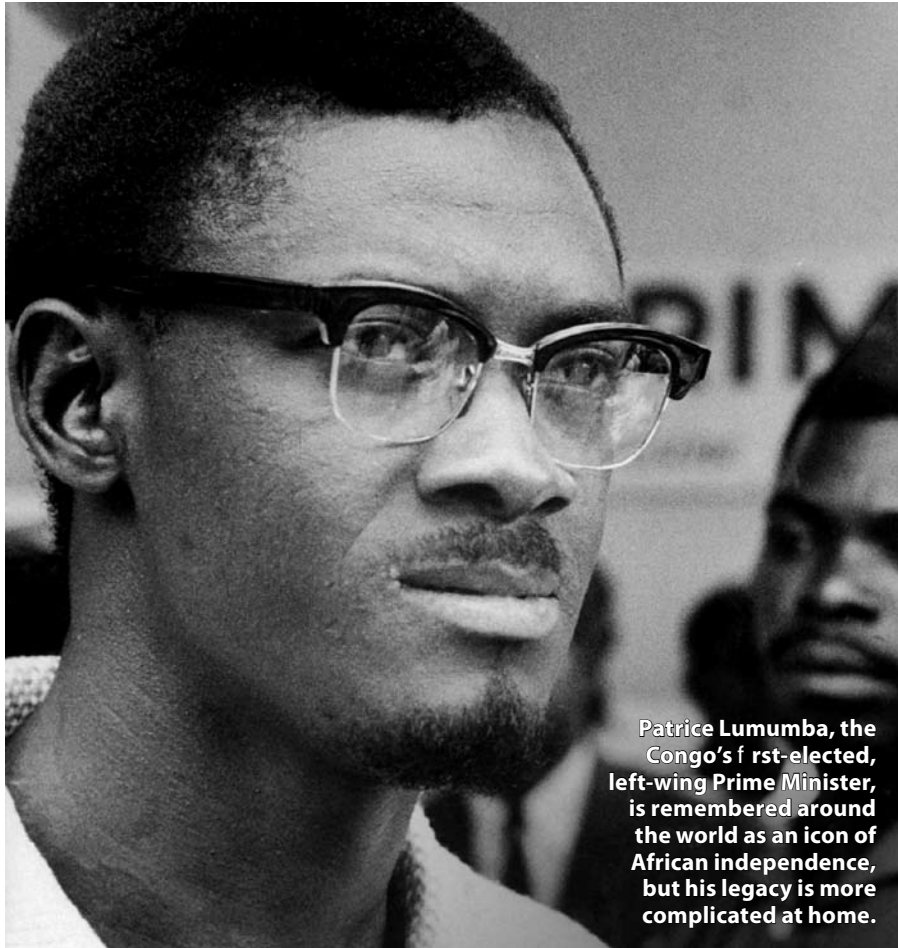
Today, it seems the more realistic concern is that Bush has written the rough draft of a speech to be delivered by a successor. ■

CHRIS TOENSING is editor of Middle East Report.

In Search of Lumumba

Congo's landscape of forgetting

BY CHRISTIAN PARENTI



Patrice Lumumba, the Congo's first-elected, left-wing Prime Minister, is remembered around the world as an icon of African independence, but his legacy is more complicated at home.

KINSHASA LIES ON THE fat banks of the River Congo like a dissolute mistress in repose—slow and haggard, but with a dignity and washed-out beauty. Most of the city is made up of “le Cite,” the huge slum metropolis that makes up almost two-thirds of this city of 7 million. The landscape is an alternately dusty and muddy sprawl of dense shanties that seem to stretch forever. Here, grubby white egrets and lizards—rather than pigeons and rats—dominate the smoldering trash heaps.

However, on the tree-lined boule-

wards of the crumbling downtown, one feels the essence of modern Congolese history. It's a story of brutally uneven development that, after the optimistic moment of African de-colonization that began with Ghana's independence in 1957 and swept across the continent, leading to Congo's independence three years later, was then arrested and eroded by kleptocracy and war.

Kinshasa's architecture is frozen in the historical amber of that period, when the Central African country won independence from Belgium in 1960. It was the time when its first-elected, left-wing Prime

Minister Patrice Lumumba governed and provided hope, if nothing else.

Who knows what Lumumba would have become? He leaned toward socialism and, when spurned by the West, turned to the Soviets for military support. Some accounts from Western journalists and diplomats portray him as impulsive and erratic. Maybe he would have devolved into corruption and megalomania like so many other leaders who began their public careers close to the people, but then drift away.

As it was, the brave Lumumba, only 36 when he was killed, became a symbol of Pan-Africanism and Third World political hope. He was one of the few Congolese to have studied abroad—a measure of how the Belgians had enforced illiteracy and confusion upon their colonial subjects.

Today, life in the Democratic Republic of the Congo is hard: too often marked by starvation, disease, refugees, banditry, war and other unspeakable violence. The last decade of foreign invasions and civil war has killed 4 million people in the Congo, mostly from attendant disease, according to the International Rescue Committee. Congo's crisis finds its ultimate causes in colonialism's deep wounds—the violence of the slave trade and Belgian humiliation and brutality. But it also relates to the overthrow of Lumumba.

A messy start

Post-colonial relations got off to a bad start. On June 30, 1960, at Congo's Independence Day celebrations, the Belgian King Baudouin I adopted a condescending and self-congratulatory tone. Enraged, the young, black prime minister, Lumumba, countered with an impromptu speech that disabused the king and other Belgians of any notion that colonial rule had been a beneficent affair.

“We have witnessed,” he said, “atrocious sufferings of those condemned for their political opinions or religious beliefs, exiled in their own country, their fate truly

worse than death itself.” Lumumba continued: “We have seen that ... a black traveled in the holds, at the feet of the whites in their luxury cabins. Who will ever forget the massacres where so many of our brothers perished, the cells into which those who refused to submit to a regime of oppression and exploitation were thrown?”

The Belgian delegation was horrified. And Belgian business interests were worried they would lose their mines and plantations. A few days later, the Congolese military mutinied, then a Belgian-fomented secession broke out in the mineral-rich southern province of Katanga. Lumumba struggled to regain control, but was deposed and arrested only three months later.

It began messily, as these things always do. President Joseph Kasavubu dismissed Lumumba. But this was not necessarily a legal maneuver, and Lumumba refused to recognize the edict. Then on Sept. 14, Defense Minister Joseph Désiré Mobutu Sese Seko, staged a coup d'état that was backed by the CIA and several European powers.

At first, Lumumba was placed under house arrest. After four months, during which time political chaos and sporadic violence took hold of the Congo, he was “allowed” to escape and then fall into the hands of secessionist forces that beat and shot him to death in the presence of Belgian officers. Documents now show that the murder, like the coup, took place with tacit Western backing.

The West feared that Lumumba would expropriate foreign capitalists and attempt to use the Congo’s tremendous natural wealth for the benefit of its people. And when, at the height of the crisis in the summer of 1960, Lumumba asked for Soviet military support and received it, well, that was the last straw.

The CIA had drawn up assassination plans of its own, and President Dwight D. Eisenhower and British Prime Minister Harold Macmillan had discussed the need to get rid of Lumumba. Belgian industrialists and the Belgian government were also both separately backing anti-Lumumba forces. The full story of this sordid imperial subterfuge is laid out in Ludo De Witte’s *The Assassination of Lumumba*.

After five years of sharing power with President Kasavubu and playing along with the charade of constitutional government, Mobutu staged a second bloodless coup and declared himself the sole political leader. He reigned as Congo’s absolute ruler from 1965 to 1997, in that time pulverizing not only the Congolese economy and infrastructure, but also its intellectual life.

Fire in his wake

Lumumba is remembered the world over as an icon of African independence. But how is he thought of here in the Congo after three decades of Mobutu?

Near the Kinshasa airport there is a statue of Lumumba, but when I talk to the Congolese people, they recall Lumumba in a fragmented fashion—if at all.

“He was our first president,” says a handyman at a Catholic mission.

“He became a communist,” offers one student.

“There is a university named for him,” says a driver.

My friend Tshibasu Dieudonne, who teaches English at a Jesuit high school, explains why I’m never able to get a clear answer on who Lumumba was. “There is no political culture here,” Tshibasu says.

I ask: “Did they teach much history under Mobutu?”

“No,” says Tshibasu. “Only about

Mobutu, his family, his life.

“The current Prime Minister Antoine Gizenga is a Lumumbaist,” explains Tshibasu. “But he is an old man. The president just gave him the job.” When I asked whether that meant the prime minister is a socialist, Tshibasu responded with an avuncular, “No, no, not like that.”

Dictatorships have a way of scrambling people’s memories. And many dictators themselves tend to both repress and embrace the culture of their victims. (When Iraqi President Saddam Hussein was killing Kurds, he would often dress in traditional Kurdish attire and visit Kurdistan.)

The son of a cook, Mobutu became a noncommissioned officer in the Belgian colonial military, *le Force Publique*. Before independence, Mobutu studied in Belgium where he met Lumumba and was, at first, one of the prime minister’s allies.

After gaining power, Mobutu stole wildly, exploited his people, murdered his enemies and serviced U.S. and Western agendas, most notably by supporting the anti-communist Angolan forces of UNITA (the National Union for the Total Independence of Angola).

Yet Mobutu’s regime swathed itself in a pseudo radicalism, a more-African-than-thou nationalism. He outlawed wigs and Western suits, and expropriated many large European-owned companies, giving them away to friends in his party, the Popular Revolutionary Movement.

In 1966, Mobutu officially “rehabilitated” Lumumba, which meant that, instead of being condemned or ignored, the memory of the martyred prime minister was now woven into the national mythology.

Then in 1971, in a “recourse to authenticity,” as Mobutu put it, he Africanized his name, those of many towns and renamed the country Zaire. His new name became Mobutu Sese Seko Nkuku Ngbendu wa Za Banga, meaning “the all powerful warrior who goes from conquest to conquest, leaving fire in his wake.”

Kim Jong ... Kabila?

In a traffic circle near Kinshasa’s central bank stands a three-story high statue of the late President Laurent Kabila, who was a former ally of Lumumba and a Marxist guerrilla. Kabila fought against Mobutu for two decades. During the ’80s, he disappeared into Uganda, turning into a diamond smuggler. In 1997, Kabila was back, installed as president by invading Rwandan and Ugandan troops, to fill the

The Face of Homeless Chicago

*It's not what
you think.*

Mariah, 18 months old.



www.chicagohomeless.org

vacuum after Mobutu died of cancer.

From the neck down, the Kabila monument looks strangely like Kim Jong Il: baggy uniform, creased pants, the raised arm, a little book in his left hand. From the neck up, the statue is the thick, grim bald mug of Laurent Kabila (his son Joseph is the current president). "The body was made in North Korea," explains my driver Felix. In other words, the body is Kim Jong Il's, but with a fat, scowling Kabila head simply welded on.

Kabila—the man and the statue—embodies the disintegration of political thought and progressive politics in the Congo. His sad history is part of how Lumumba is simultaneously remembered and forgotten.

In 1965, Che Guevara and 150 Cuban volunteers joined Kabila on the western shores of central Africa's Lake Tanganyika. Che's diaries from that "lost year" offer a bizarre tale: He came for socialist revolution and found petty warlords, witchcraft and peasants largely detached from the world's capitalist system. Che described Kabila as "cordial but aloof." Kabila's men were thuggish and lazy. Their adversaries, mercenaries led by Mike Hoare, the infamous Anglo-Irish marauder and former British military captain, were thuggish and not lazy.

After 32 years of Mobutu, Kabila relaunched the former dictator's corrupt clientalism. He even retained the old dictator's PR man. In 2000, some of Kabila's disgruntled child soldiers assassinated their leader and he was succeeded by his son, who now rules with a similar combination of corruption and violence.

Hell on earth

Today, the eastern Congo is a hell on earth. In the lush mountains outside the city of Goma, U.N. troops and the national army, such as it is, face off against an array of competing militias. Among them are Gen. Nkunda's Tutsi forces; elements of the old Hutu Interwama of Rwanda (the FDLR) that fled into the Congo after their country's genocide in 1994; and further north are the Mai Mai, some of whom began as Lumumbaists. They fight naked, protecting themselves against enemy bullets by washing in water.

Rwanda and Uganda support some of these militias and receive a steady flow of lumber, gold, coltan and diamonds in exchange. Both countries export these products in amounts that far exceed their

own natural supplies. This makes local elites rich and helps the general development of their economies.

In late August when I visited Goma, armed men killed 10 of Congo's remaining 170 mountain gorillas in the nearby Virunga National Park. The animals were not poached, but simply murdered. Suspicion settled on Nkunda's men. As for humans, a band of Mai Mai raided a vil-

lonial-era paramilitary police. This in turn became Mobutu's army and, with his fall, his soldiers seeded the militias.

And here they are, still, in their ragtag fatigues, carrying Kalashnikov rifles and crazy amulets. They no longer take slaves or rubber, but steal cattle and loot minerals. Some see the militias of North Kivu as the failure of the U.N. peace process. But the militias are also living

Dictatorships have a way of scrambling people's memories. A Congolese friend explains why I'm never able to get a clear answer about Lumumba: 'There is no political culture here.'

lage and systematically raped scores of women. The International Crisis Group estimates that in the last year "over 370,000 civilians have been displaced in the province" and that throughout the Congo "over 1,000 people continue to die each day from conflict-related causes, mostly disease and malnutrition but ongoing violence as well." Shortly after my visit, Ebola hit the area.

This level of horror demands explanation. Merely to describe the situation risks acquiescence to racist myths. But there's a direct line from the rise of the slave trade that continues to the present. Starting in the late 15th century, the Portuguese marauded in from the west coast while "Arabs" (really Muslim Africans) from Zanzibar raided from the east.

As an industry, stealing bodies required methods akin to total war: villages annihilated, the old and the young slaughtered, the working age carried off in chains. The raiders sustained themselves by killing off wildlife and when necessary, smoking and eating human flesh.

Belgium's King Leopold II invoked these horrors to justify his "humanitarian intervention" in the late 19th century. He promised that his Congo Free State would stamp out slavery. In reality, the slaving parties simply morphed into the colonial militias, now in service of the rapacious station chiefs of Leopold's Free State working to extract ivory and rubber from the population.

Among the most famous of these colonial-era terrorists was Tippu Tip. His private army's methods included mass murder, rape, mutilation and cannibalism. Soon these militias were transformed into the uniformed *Force Publique*, the co-

monuments to a long, oft-forgotten history of terror as a means of economic extraction. The violence is here in the heart of Africa, but the wealth flows out and away to all points of the compass, bearing with it no sign of the bloody processes that produce it.

God Lumumba

Some weeks after gazing upon the statues of Kinshasa, I traveled to central Congo, near a small town on the river. There I met George Ningo Toleka, who works for a tiny, impoverished local NGO. We talked politics.

"Mobutu thought that Lumumba was bad," Toleka says, "but in my view, he was a good leader." He continued: "In Opala, about a two days ride from here, there is a group that believes in Lumumba."

My ears perk up. Toleka watches me closely as he talks: "They think Lumumba is still alive and will come back. They call him Nzambe Lumumba—God Lumumba. They think he can heal the sick. Their leader is Olungu Moses, prophet Moses."

He looks at me blankly, and adds: "It is a politico-religious movement. They all voted for the prime minister's party, the neo-Lumumbaists, but they have no idea what that party stands for. But no one really does."

In the Congo—as anywhere else—ideas and political symbols change with the times. And so it seems to be the case for Patrice Lumumba. Once dead, the memory of Lumumba is erased, then revived to prop up a dictator, then to legitimize the rebel who overthrew that dictator and then, out in the jungles along the river, an imaginary Lumumba cures the sick and promises to come back to life. ■

Women Behind Bars

War on drugs leads to explosion of female incarceration

BY SILJA J.A. TALVI

OAHOMAN TINA Thomas HAS been caught up in the American war on drugs.

In many respects, she fits the common profile of a woman doing time for a drug-related offense. Her crimes have ranged from possession to check forgery and theft, including an arrest for trying to steal a \$64 comforter from Wal-Mart. Eventually sentenced to a two-year state prison term, Thomas admits that she committed her crimes to feed the “800-pound gorilla on my back that I just hadn’t been able to shake.”

Thomas is part of an alarming statistical trend and a modern-day American phenomenon. For starters, she is one of half a million people (roughly one-fourth of the total prison population) locked up on drug-related charges. Thomas is also an inmate in a state that locks up women at one of the highest per capita rates—129 per 100,000 residents, a figure that is right behind Texas, the federal system and California. Oklahoma’s imprisonment of women rose a stunning 1,237 percent from 1997 to 2004.

Drug addiction is what led Thomas down the river to prison, she admits freely. What’s a bit more unusual about her is that she holds a medical doctorate from the University of Illinois, and was a practicing neurologist and professor at a teaching hospital. She stood out in her field to such a degree that her colleagues felt uncomfortable around her, particularly after she disclosed she was a lesbian. What Thomas didn’t disclose, however, was an early childhood marred by incest, the lingering pain from which she used cocaine as an escape. Unfortunately, her cocaine use took a painful turn into a full-blown crack addiction.

Thomas and other women have had the misfortune of being sucked into what the federal government calls the “war on drugs.” We have our own “drug czar,” who sits atop the massive Office of National



Sure, cocaine can kill you, but the U.S. government classifies it as less harmful than marijuana.

Drug Control Policy (ONDCP). President Nixon started this war in 1969, and President Reagan kicked it into high gear. It’s been a full-throttle battle since, even through the Clinton years.

By 1980, the number of drug-related arrests stood at 581,000. Just 10 years later, that number had nearly doubled to 1,090,000.

In 2005, the FBI reported that law enforcement officers made more arrests for drug-abuse violations (1.8 million) than for any other offense.

One of the most surprising facts about these figures, as far as police are concerned, is the drug of choice: marijuana. Cannabis is classified as a Schedule I drug, which means that it is one of the most dangerous drugs imaginable.

Cocaine, on the other hand, a leading cause of overdose deaths, is classified as a Schedule II. So is PCP. Go figure.

In 2005, nearly 43 percent of all drug arrests were for cannabis possession (37.7 percent) or “sales and manufacture” (4.3

percent). That’s millions of arrests and billions of dollars—and amounts to a lot of misery and money down the drain.

In 2008, the ONDCP drug-war budget will reach a record \$12.9 billion, with \$8 billion of this funding being funneled into law enforcement. Bear in mind that these are only the official numbers. Many criminal justice experts point out that the figure doesn’t incorporate the costs of incarcerating people sentenced for drug offenses. The real expenditure, including the costs of imprisonment, comes close to \$22 billion, according to an analysis by the drug policy newsletter, *Drug War Chronicle*.

We’re not getting much of a bang for these big bucks. Unintentional drug overdoses have become the second-most common form of accidental death after car crashes. While the government increases funding for antidrug missions in Colombia and Afghanistan by tens of millions every year, federal allocations to the Center for Substance Abuse Prevention and

the Center for Substance Abuse Treatment are being cut by \$32 million in 2008.

A 2006 Government Accountability Office report revealed that our \$1.4 billion antidrug media blitz wasn't working, either. And it wasn't the first organization to note this. In 2003, the White House Office of Management and Budget disclosed that it found these ads lacking in any demonstrable success.

What's worse, the people who need help aren't getting it. In the rest of the Western world, assistance with drug and alcohol problems is widely accessible. They predominantly view heavy drug use or full-blown addiction as public health issues, not behavioral issues subject to prosecution (except in cases involving other criminal activity).

In the United States, however, rehabilitation and counseling are difficult to access without money. The waiting lists for free or subsidized rehabilitation programs can run from a few months to a couple of years—even in progressive cities like San Francisco or Seattle.

Most American women, as well as men, have used some form of intoxicant (legal or illegal) during their lives, and half of all women ages 15 to 54 admit to having used illegal drugs specifically.

An estimated 22 million Americans are currently dependent on alcohol, drugs or both, although the real number is likely to be much higher, particularly as the figure does not take into account the 71.5 million people age 12 and up who use tobacco—many of whom are likely addicted to nicotine.

Anyone who has ever smoked cigarettes habitually can relate to what even heroin and other hard-drug users have told me on several occasions—that nicotine is the most addictive drug they have ever taken, and the hardest substance to quit. (Small wonder that the tobacco ban in many prisons has started a fierce black market, where a single cigarette can cost between \$5 and \$10.)

Regardless of whether they are caught, more than 9 million women each year use illicit drugs, and another 37 million use prescription drugs without medical authorization.

One such woman, Danielle Pascu, 29, got hooked on prescription drugs after the birth of her daughter. At first she was grateful for the prescribed Vicodin that got her through the lingering pain from a caesarean section and untreated postpar-

tum depression.

But it didn't take Pascu long to develop a full-blown habit, where she was eventually falsifying her prescriptions in order to get more. Pascu had no criminal record, had never used drugs before and was generally unaware of the risks involved. These days, Pascu is serving nearly three years in the sun-baked and dilapidated Arizona State Prison Com-

In 2008, the budget of the Office of National Drug Control Policy will reach a record \$12.9 billion. When the costs of incarceration are included, that number approaches \$22 billion.

plex in Perryville.

At this point, drug violations and property offenses account for a majority (59 percent) of females in state prison. By comparison, men in both of these offense categories add up to just 39.5 percent. Meanwhile, in federal prison, women and men convicted of drug offenses constitute nearly 60 percent of inmates.

Tina Thomas knows that she has a quadruple strike to overcome. She's a black female with a former cocaine addiction, in a state that prefers to lock people up for substance abuse and that will deprive her of public assistance when she gets out. She now faces a lifetime ban on federal benefits, including contracts, licenses and grants.

As a drug offender, Thomas won't be able to get Temporary Assistance for Needy Families (TANF) if she should ever need it. Food assistance, higher-education funding and even income tax deductions for pursuing a college degree are all yanked away from most felony drug offenders.

Yet nearly every other category of ex-offender—including sex offenders, murderers, arsonists and perpetrators of domestic violence—is eligible for these benefits. And, as if all this isn't bad enough, Thomas will find that even getting a job will be difficult, because she must report herself as an ex-felon.

I'm often asked whether African Americans might just be using drugs more than any other group of people. My response is always met with disbelief until I prove it with the government's own health statistics: African Americans constitute only 15 percent of drug users nationwide.

FBI data, at first glance, appears to show Euro-Americans bearing the brunt of drug-related arrests. Numerically speaking, they do, in that they are still the majority of the U.S. population. But a closer look reveals something else: African Americans are arrested at three times the rate of their demographic representation.

Marc Mauer, executive director of the Washington D.C.-based Sentencing Proj-

ect, asks the very pertinent question of whether police are arresting crack and cocaine users in general, or specifically going into communities of color and lower-income neighborhoods, where some people are using drugs and engaging in the street trade.

"Conducting drug arrests in minority neighborhoods does have advantages for law enforcement," writes Mauer in his 2006 book, *Race to Incarcerate*. "First, it is far easier to make arrests in such areas, since drug dealing is more likely to take place in open-air drug markets. In contrast, drug dealing is suburban neighborhoods almost invariably takes place behind closed doors and is therefore not readily identifiable to passing police."

This is a crucial point. Many substance users are men and women with professional careers. People with middle- to upper-class incomes tend to use their drugs behind doors in nice houses, in well-to-do neighborhoods. They slip under the drug war radar, just as college students do.

A quarter of full-time undergraduate students meet the criteria for substance abuse or dependence, something the National Center on Addiction and Substance Abuse calls "wasting the best and brightest."

Yet none of this is anything that the Office of National Drug Control Policy cares to have mentioned, much less examine. It's just another one of those inconvenient truths. ■

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Where is the Dream?

From antiwar activism to economic justice, black progressives face challenges in organizing

BY JAMES THINDWA

SINCE THE WAR IN Iraq began almost five years ago, Chicago has been the site of some of the most robust and raucous antiwar agitation in the country. But a persistent racial chasm undermines these efforts. Black participation in marches is depressingly low and the antiwar movement's leadership is predominantly white.

A handful of progressive black politicians, clergy or community leaders show up at antiwar rallies to speak, but the black masses are conspicuously absent. The lack of black voices in the peace movement is particularly dissonant because the community overwhelmingly opposes the Iraq War. According to the *Boston Globe*, at the start of the war in 2003, only 19 percent of blacks supported it. Now an astounding 90 percent oppose this misadventure, according to a BET poll.

White organizers often self-flagellate for not doing enough to "reach out" to the black community, and many antiwar activists focus on the role of white racism in discouraging black participation. However, this focus prevents an overdue discussion of a significant development in post-Civil Rights black leadership—namely, the flight of many black leaders from the progressive agenda of the Civil Rights era. This retreat, facilitated by politically and morally suspect relationships with corporate benefactors, is implicated in black demobilization not only around the Iraq War, but in other aspects of black social, economic and political life.

An example of this retreat can be seen in the role of black leadership in Chicago's recent fight for a living-wage law. In this low-wage economy, many African Americans must hold multiple jobs to make ends meet. One remedy for this is to establish a living wage, a move that has taken root in major cities across the country, including San Francisco, Los Angeles, Boston and Santa Fe, N.M. But taking on predatory



low-wage employers requires bold, progressive leadership.

In November 2003, when Wal-Mart launched its "urban initiative" to set up stores in major cities, it increased financial contributions to key black institutions and leaders.

In 2006, Wal-Mart's contributions to the black community included a \$1 million grant to the Congressional Black Caucus Foundation; a \$5 million grant to the National Urban League; and \$1.5 million to the United Negro College Fund. Wal-Mart's goal was to presumably enter the market unencumbered by standards of accountability, particularly living-wage laws that community organizations and unions pushed for. As Wal-Mart money poured in, many black leaders either took up the big-box corporation's cause or were conspicuously absent from the living-wage struggle.

Until August 2006, Andrew Young, a former civil rights leader and U.N. ambas-

sador, served as a million-dollar spokesperson for Wal-Mart. His mission was to rally black leaders to block living-wage bills. In Chicago, he did this by hosting a lavish "clergy luncheon" to help enlist black ministers to Wal-Mart's side. On July 20, 2006, one South Side black pastor turned out 1,000 community members to rally against a City Council living-wage bill.

Dorothy Tillman, a City Council member and reparations leader, also opposed the ordinance and attacked the "racist unions" that supported it. Never mind that 10,000 Chicago workers—mostly black and Latino—would have benefited from the pay hike. And never mind that thousands of black workers are union members. In Illinois, the SEIU has more black members than any of the state's civil rights organizations, including Rainbow/PUSH Coalition and NAACP.

Wal-Mart's transgressions are serious: hundreds of pending lawsuits by black workers; a pending class-action gender-

bias suit by 1.6 million female workers; exploitation of undocumented immigrants; and reports of overseas sweatshops. And black leaders chose to race-bate unions supporting those workers?

What's more, for reparations activists, supporting such corporations seemed a strange position. How could they reconcile the pursuit of racial justice with the defense of a wealthy, Southern corporation that has profited from low-wage labor?

Complicit leaders

The *Chicago Tribune* ran 12 editorials between 2005 and 2006 opposing Chicago's living-wage bill, and the *Chicago Sun-Times* ran eight, one of which declared, "The activists are the enemy."

Despite a divided black leadership, the City Council passed the ordinance overwhelmingly in favor of a living wage, but Mayor Richard Daley vetoed it. When he announced the veto, Daley fanned himself with several black ministers, a move that reflected the anti-living-wage campaign's effort to align its cause with black interests. In fact, Daley portrayed his veto as a move to strengthen black communities.

But, there would be more bad news for Chicago's low-wage workers. As the living wage struggle wound down, Commonwealth Edison, the local utility company, was lobbying the state legislature to end a rate freeze that had protected Illinois consumers for 10 years. The Citizens Utility Board, Illinois' consumer watchdog, and the office of Illinois Lieutenant Governor produced studies showing that such action would result in a 25 to 55 percent rate increase. They also cited data showing that ComEd parent company Exelon is now the most profitable electric utility in the nation, and called for extending the freeze for another three years.

Not long after Mayor Daley's veto of the living wage bill, a group calling itself Consumers Organized for Reliable Energy (CORE) began running television ads supporting Commonwealth Edison's rate hike and warning of electricity shortages and rolling blackouts if the rate hike was not approved. An investigation by a local television station revealed that CORE was a front group funded by ComEd. It turns out that CORE was composed of many of the same black leaders who had opposed the living wage. For the workers, it was double jeopardy. Having been denied a living wage, they now faced a

steep utility rate hike, sadly at the hands of people who claim to be their leaders.

The final blow for workers came in October 2007 when Mayor Daley won a \$300 million tax hike. After depriving workers of a living wage, he imposed on them a heavy property tax and a series of fee and fine hikes. With a few exceptions, black leadership was relatively silent. If Daley had not vetoed the living wage bill, 10,000 workers would now be earning \$10 per hour and contributing substantially to city coffers. How could the mayor of a big city burdened with inequality and social instability—a Democrat at that—choose to protect wealthy corporations rather than take action that would help struggling workers and *actually* improve the city's tax base at the same time? Equally troubling is that leaders of the city's most marginalized communities were complicit in setting up this atmosphere of impunity for the mayor and his big business allies.

Unfortunately, this story reflects a broader shift in Chicago's black leadership. Apart from a committed core of progressive African-American leaders who have maintained visible opposition to the war, mainstream black leaders have been quiet. Among the leaders who so vigorously opposed the living wage ordinance, only one, the Rev. Leon Finney, has shown up at an antiwar protest.

One problem is that many black community leaders are embroiled in social and economic battles, ones exacerbated by the war itself. As a labor and community activist, I have encouraged many African-American community leaders to attend war protests. In one exchange, a leader of a South Side community organization assured me that "all black folk I know oppose this ridiculous war." But she complained that she could not bring people to antiwar marches because "our HUD (Housing and Urban Development) money was cut." The loss of federal funds necessitated staff cuts that affected her group's ability to mobilize its members. When I suggested that HUD, like other non-war-related agencies, had been targeted for cuts because of the war, she was taken aback. This exchange reminded me that the black community needs more leaders to articulate the relationship between military spending and domestic programs.

Wars at home and abroad

The alignment of many in Chicago's black leadership with corporations has

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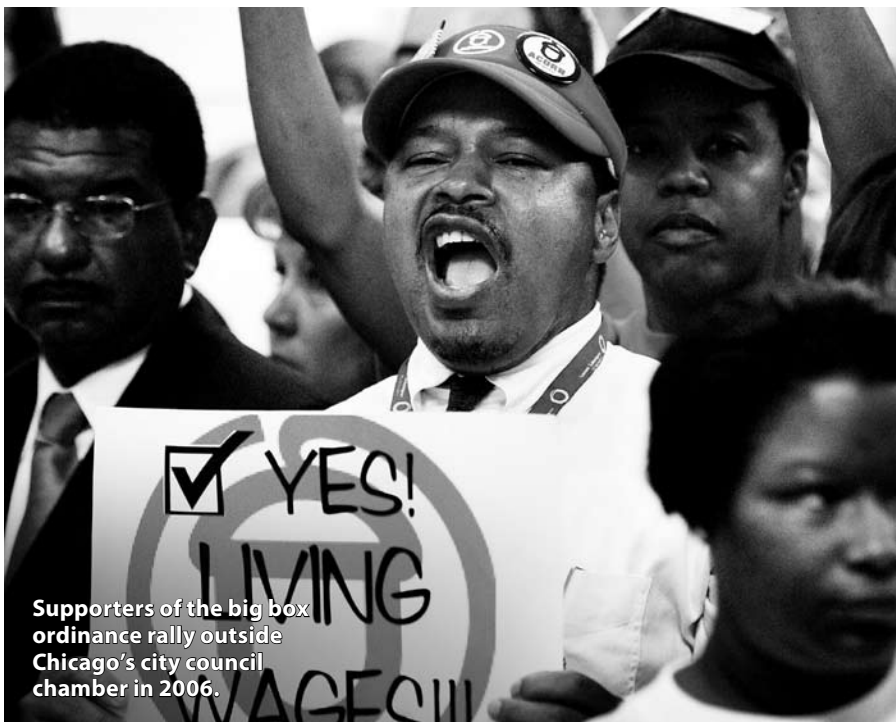
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The Nation





Supporters of the big box ordinance rally outside Chicago's city council chamber in 2006.

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had serious implications for political mobilization. It is a universal—and understandable—truth that political participation rises with income. As a result, the defeat of the living wage has diminished the political voice of many black workers and all low-wage workers.

The black leadership's complicity in this defeat contributes to cynicism among black voters, many of whom have opted out of the political process because they cannot count on their leaders to represent their interests. On WVON, a black radio station, many callers expressed frustration over leaders who had "sold-out" community interests. They demanded that their aldermen vote for the living wage and challenged community leaders to support them. As frontline victims of the war, both economically and militarily, African Americans have a right to question the priorities of their leaders. Why is it that black leaders can mobilize on behalf of the world's wealthiest corporation and not against the Iraq War? If the white antiwar movement is so inhospitable, what is preventing black leaders from holding rallies of their own in black communities?

A look at protest directed against members of Congress illustrates this point. For five days in March 2006, activists camped out at Democratic Rep. Rahm Emmanuel's Chicago office to press him to cut war funding. Earlier in the month several

activists had set up an encampment at former Republican Rep. Dennis Hastert's office in Batavia, a few miles outside Chicago, to pressure him. This stands in sharp contrast to the relative absence of pressure on Reps. Jesse Jackson Jr., Danny Davis and Bobby Rush and reflects, in part, the lack of visible, organized activism around the war in black communities.

Many black leaders are involved in the peace movement. In Chicago Rev. Calvin Morris of the Community Renewal Society, Rev. Jeremiah Wright of Trinity United Church of Christ, and Rev. Jesse Jackson Sr. have been visibly present in antiwar organizing. The weakness of antiwar organizing in black communities then, is not only a leadership question, but indicates a broader problem of community disorganization and disengagement. High rates of incarceration, joblessness, school dropouts, student indebtedness and family disorganization, present a formidable challenge to political organizers.

With the Iraq War siphoning \$10 billion per month from critical domestic programs, the black community needs a much stronger presence in the campaign to bring it to an end. Furthermore, this financial hemorrhaging is contributing to economic anxiety among workers, an anxiety that is fueling much of the backlash against immigrant workers. Although, thankfully, the African-American community has so far

resisted appeals by anti-immigrant forces to join their movement, the continued downturn in the economy presents the risk of potentially destructive tensions between blacks and immigrants. It is therefore imperative for black leadership to appreciate the fierce urgency of ending this war. Doing so removes a serious impediment to addressing the problems that plague black communities, and sets the stage for building politically important coalitions with immigrant communities.

The fact that supermajorities of African Americans oppose the war presents a unique opportunity for a new black leadership to emerge, one that could also challenge American foreign policy or America's role in the world. In a sense, Sen. Barack Obama (D-Ill.) symbolizes this possibility.

But, for the most part, antiwar African Americans, including those who are now declining to enlist in the military, lack leaders willing to champion their cause. Indeed, black antiwar sentiment has reached new levels, as indicated in a 58 percent drop in enlistment since 2000, as reported in the *Boston Globe*.

Sadly, because of the leadership vacuum, what should be a fertile moment for organizing is slipping away. Many black activists may want to engage in antiwar protest, but object to working with white antiwar forces. For their part, whites in the peace movement need to do a better job of creating a more welcoming, multiracial environment. However, this situation cannot be the excuse to not oppose a war that has killed thousands of Americans and hundreds of thousands of Iraqis. If mainline peace groups are not receptive, black leaders can borrow a page from the Tuskegee Airmen and do their own thing.

It is time to recall, and to revive, the pioneering leadership of Dr. Martin Luther King Jr. who eloquently warned against the perils of war: "A nation that continues year after year to spend more money on military defense than on programs of social uplift is approaching spiritual death." But King was also clear about the importance of linking issues, of working in coalitions and of broadening our gaze from the local to the international. Black communities are hungry for this type of leadership. ■

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Latin America Banks on Independence

The new Bank of the South shatters neoliberal economics

BY MARK ENGLER



JUAN MABROMATA/AFP/GETTY IMAGES

Latin American leaders launched the Bank of the South at a ceremony in Buenos Aires on Dec. 9, 2007. The bank will support regional development in order to wean the region of institutions like the International Monetary Fund and the World Bank.

IN THE COLLAPSING WEEKS of 2007, a region in revolt against the economics of corporate globalization issued its most unified declaration of independence to date.

On Dec. 9, standing before the flags of their countries, the presidents of Argentina, Bolivia, Brazil, Ecuador, Paraguay and Venezuela, along with a representative from Uruguay, gathered in Buenos Aires and signed the founding charter of the *Banco del Sur*, or the Bank of the South.

The Bank of the South will allow participating governments to use a percentage of their collective currency reserves to strengthen Latin America's economy and promote cooperative development. It plans to begin lending as early as 2008 with around \$7 billion in capital.

By itself, the bank represents a serious challenge to U.S.-dominated institutions, such as the International Monetary Fund (IMF), the World Bank and the Inter-American Development Bank (IDB). As part of a larger trend, it signals a major break from the policies of "free trade" neoliberalism that dominated in the re-

gion throughout the '80s and '90s.

The Bank of the South's creators are keenly aware of the significance of this break. In the words of Venezuelan President Hugo Chávez, the bank is "aimed at freeing us from the chains of dependence and underdevelopment." Ecuadorian President Rafael Correa concurred, arguing that with the bank, "South American nations will be able to put an end to their political and financial dependence that they have had with the neoliberal model."

Officially, the international financial institutions are keeping their tone upbeat. On Dec. 11, IMF Director General Dominique Strauss-Kahn told *Agence France-Presse* that the new bank is "not a problem; it's maybe an opportunity." Similarly, Augusto de la Torre, World Bank chief economist for Latin America, said, "As far as the World Bank is concerned, this new initiative is not perceived as a competitor."

But in March 2007, as Latin American leaders were first discussing the creation of a new body, one anonymous insider at the neoliberal IDB told the *Financial Times* that the Bank of the South repre-

sented the largest threat to his institution in decades. "With the money of Argentina and Brazil, this is a bank that could have lots of money and a different political approach," he explained. "No one will say this publicly, but we don't like it."

Breaking Washington's hold

There is good reason for those invested in the Washington Consensus to dislike the Bank of the South. In recent decades, the IMF, the World Bank and the multilateral regional banks have largely controlled poorer countries' access to credit and development financing. These institutions allowed developing countries to avoid defaulting on their debt, provided funds in some difficult times and gave a nod of approval to private creditors. But the price the countries paid in return was steep.

In order to stay in their good graces, developing nations have had to privatize industries, open markets to foreign businesses, liberalize capital flows, keep monetary policy tight and implement fiscal austerity (that is, cut needed social services

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for their people). In the end, such policies proved disastrous in Latin America.

Per capita GDP, which had been growing at a steady rate throughout the '60s and '70s, grew hardly at all in the subsequent two decades of neoliberalism. During the latter period, the region also developed some of the highest levels of inequality in the world.

The Bank of the South would work to remedy this situation. Unlike the pre-existing financial institutions, the new bank will be run by Latin American countries themselves, will not be dominated by any single nation and will be free to support development approaches that are much more sensitive to the needs of the poor.

A May 2007 statement of South American finance ministers affirmed that the new bank and other mechanisms of regional integration "must be based on democratic, transparent and participatory schemes that are responsible to their constituencies."

With the exception of Paraguay's Nicanor Duarte Fruto, each of the Latin American leaders involved in the Bank of the South was elected in recent years on a mandate to split from Washington. Well aware of the failures of economic neoliberalism in the region, and under pressure from an enlivened citizenry, the bank's members have outraged the international business press by working to do just that.

Several governments have moved to free themselves of direct oversight from the IMF by repaying loans early. In December 2005, Argentina and Brazil announced that they would pay off \$9.8 billion and \$15.5 billion, respectively. The IMF, which benefits from interest payments on long-term loans, was nonplussed.

Argentina, which was a model of the IMF during the '90s and suffered severe economic collapse in 2001, vocally declared good riddance. Then-President Néstor Kirchner triumphantly proclaimed that throwing off the chains of IMF debt constituted a move toward "political sovereignty and economic independence."

Since then, Latin American governments have been one-upping each other in their acts of defiance.

In Bolivia, upon taking office in 2006, President Evo Morales announced he would let the country's standing loan agreement with the IMF expire. In May 2007, he declared Bolivia would withdraw from a World Bank arbitration center that handles investment disputes, usually favoring corporate interests. Nicaragua has similarly

rejected the authority of the center.

Correa topped them by ejecting the World Bank's representative to Ecuador in April 2007. He declared the officer a *persona non grata* in the country, insisting, "We will not stand for extortion by this international bureaucracy."

That same month, Chávez announced that Venezuela would withdraw from membership in the IMF and World Bank altogether. While the country is still working out the details of this move, the prospect is unprecedented in the era of corporate globalization.

The ability of oil-rich Venezuela to provide its neighbors with financing they previously might have needed to beg for from Washington is a significant factor in their willingness to break with the IMF and World Bank. Venezuela has offered billions in support to countries—including Argentina, Bolivia and Ecuador—and those backup funds make many countries less susceptible to threats of capital flight than in the past. Along with investments from China and India, it dramatically reduces Washington's ability to starve dissident leaders of financial resources when governments grow, in its view, disobedient. The Bank of the South will help to formalize a source of alternative finance and place it under regional control.

Rude awakenings

The establishment of the Bank of the South comes at a particularly bad time for the IMF. The institution's troubles were brought into relief at its annual fall meetings in mid-October, after which the *Washington Post* contended, "the International Monetary Fund needs restructuring, and maybe a bailout."

IMF lending has plummeted in recent years, as its supposed beneficiaries have launched a rebellion. Cutting ties with the fund is not just a Latin American phenomenon. Russia, Thailand, Indonesia and the Philippines have also pursued strategies of early debt repayment. Many Asian countries that were burned by the region's neoliberal financial crisis in 1997 are building large cash reserves to prevent a return to the IMF in times of economic downturn, and they have recently worked on creating a regional currency exchange that will further increase their distance from Washington.

These developments are sapping both the IMF's influence and its cash flow. Its loan portfolio has dwindled from nearly

\$100 billion in 2004 to around \$20 billion today. A single country, Turkey, now accounts for the bulk of its lending. The IMF has lost almost all influence in Latin America, with lending there plummeting to a paltry \$50 million, less than 1 percent of its global loan portfolio. As recently as 2005, the region had accounted for 80 percent of its outstanding loans.

Deprived of lucrative interest payments

Deprived of lucrative interest payments from poorer countries, the IMF is now desperately trying to meet its \$1 billion administrative budget without dipping into its gold reserves.

from poorer countries, the IMF is now desperately trying to meet its \$1 billion administrative budget without dipping into its gold reserves. In stark contrast to the triumphalist pronouncements made in past fall meetings, in 2007 the IMF's newly installed Dominique Strauss-Kahn confessed that "downsizing is on the table" for the institution.

Ignoring the wider picture, pro-free trade pundits have generally responded to the Bank of the South by minimizing its significance and predicting failure. The *Wall Street Journal* characterized the bank as but one of Hugo Chávez's many madcap schemes, insisting that it is "unlikely to live up to his grandiose vision." Meanwhile the *Economist* asserted, "The IMF can sleep easy." It pointed out that the Bank of the South's founding agreement lacked many details about its governance and lending policies, and that disagreements persist among the region's key players.

It is true that Latin America has a history of internal disputes thwarting dreams of regional unity—and that quarrels persist today. While Venezuela and Ecuador have pushed for the bank to have a far-reaching mandate, Brazil prefers a more modest institution. To the disappointment of many of his progressive supporters, Brazilian President Luiz Inácio Lula da Silva has adhered to conservative economic policies designed to keep Brazil in good standing with foreign creditors. The country also runs a large internal development bank, which loaned \$38 billion in 2007 to fund national projects. Therefore, Brazil has less to gain directly from making the Bank of the South into a robust regional lender.

Activists, while generally positive, have

expressed some concerns. Environmentalists worry the Bank of the South, while more democratically managed than its counterparts in Washington, may nevertheless develop a similarly destructive record of funding large-scale, ecologically harmful construction projects.

Other progressives, ranging from the members of the Jubilee South coalition to Cuban commentator Eduardo Dimas,

have argued that the institution must go beyond traditional development lending to support such measures as land reform, a common regional currency and projects explicitly designed to promote political solidarity in the region. These would more closely link the bank with the Bolivarian Alternative for the Americas (ALBA), an initiative through which the Venezuelan government has paid for Cuban doctors to provide services in the region and has promoted other forms of mutual assistance.

Reservations about the Bank of the South's mandate, however, should not obscure the swiftness and severity of Latin America's assault on the international financial institutions.

Chávez first floated the idea of the bank in 2006, and the speed at which it has come into existence has been shocking. The widespread support within Latin America for independent bodies such as the new bank suggests that the days when the United States could act as an economic overseer dictating policy for countries across the globe are coming to an end.

Upon the inauguration of the Bank of the South, even Lula da Silva delivered a message of defiance to the North. "Developing nations must create their own mechanisms of finance," he said, "instead of suffering under those of the IMF and the World Bank, which are institutions of rich nations." He added bluntly: "It is time to wake up." ■

MARK ENGLER, an analyst with *Foreign Policy In Focus*, is author of *How to Rule the World: The Coming Battle Over the Global Economy* (Nation Books, April 2008). Research assistance provided by Sean Nortz.

BY JACOB WHEELER

Guatemala's 'Crime of the Century'

Boston-born author Francisco Goldman's American-Jewish and Guatemalan heritage has allowed him to move between those cultures and explore the complicated and often tragic relationship between his mother's homeland and *El Norte*. After covering the bloody civil

wars in Central America in the 1980s for *Esquire*, *Harper's* and *The New Yorker*, Goldman penned three hauntingly beautiful novels, *The Long Night of White Chickens*, *The Ordinary Seamen* and *The Divine Husband*, each of which alternates between Central America and the United States for their settings.

Last year, Goldman published his first nonfiction book, *The Art of Political Murder*. It chronicles the 1998 slaying of Guatemalan bishop and human rights advocate Juan Gerardi—dubbed “the crime of the century”—and the dramatic trial that ended in 2007 with the convictions of several high-ranking Guatemalan military officers—convictions that are unprecedented in a country where impunity rules the land with a bloody fist. (Gerardi was murdered two years after the end of the country's 36-year civil war.)

Goldman's book also entered the political discourse in Guatemala and may have helped stop former Gen. Otto Pérez Molina, who has alleged ties to Gerardi's murder, from winning a close presidential election runoff in November 2007.

How important was Bishop Juan Gerardi for Guatemala, both in life and in death?

When the Guatemalan army and the guerrillas signed the '96 peace accords—formally ending the civil war in which at least 200,000 civilians had been murdered—the army, the victor in the war, was easily able to impose its terms on the acquiescent Guatemalans. That meant total amnesty for all human rights crimes commit-

ted during the war. For Guatemala to have peace, they decided, it also had to have silence, official forgetting and no justice.

Bishop Gerardi, as head of the Guatemala Archdiocese's Office of Human Rights, said no to that. He and the office of human rights sponsored an unprecedented report into the war and the crimes of the past that smashed every taboo in Guatemala against speaking out and assigning blame—and even naming names.

The report was called *Guatemala: Nunca Más* (Never Again), and in its pages, for the first time ever, Guatemalans spoke to Guatemalans and to the world about what had happened—in words that hid none of the army's savagery and cruelty. The report also concluded that the army was responsible for all but some 5 percent of those murders. The report changed the entire dynamic of the post-war period, and, of course, Gerardi was murdered only two days after its release. It was a heroic effort, that report and Gerardi's leadership, no doubt about it.

How was his murder different from the 200,000 other assassinations during the civil war?

There were other murders similar to Bishop Gerardi's murder. The Myrna Mack murder for example—stabbed to death, stabbed 27 times, in a Guatemala City street in a crime faked to resemble a frenzied crime of passion. It was street theater. There is a history of such crimes in Guatemala, when murder is meant to eliminate a high-profile figure, or to be

a symbolic murder, to send a message. These are creative murders. What Virginia Woolf said, “a room of one's own” is to a fiction writer, the institution of impunity is to state-sponsored murderers. If you don't have to fear justice, you don't have to worry about getting caught. You can dream up some really theatrical murders.

Many journalists, human rights workers and church officials who've asked too many questions, Americans not excluded, have met gruesome fates in Guatemala. Did you feel scared for your own safety?

Everyone involved in the Gerardi case faced danger. At least 10 people related to the case were killed, many more sent into exile. The guys who investigated the case for the Office of Human Rights, the brave prosecutors, the few honest Guatemalan journalists working the case, were all in much more danger than I was.

Were some threats directed my way? Yes: a phone call in Brooklyn. A weird incident outside my hotel window one night. But compare that to what the young men from the Office of Human Rights or prosecutor Leopoldo Zeisig or the judges at the trial were enduring: round the clock threats, verbal, physical, actual. And they almost never mentioned it. It was a code of honor not to talk about it.

Impunity still rules the day in Guatemala, most notably to the benefit of general and ex-president Efraín Ríos Montt, who has yet to face trial. And yet at least some of the military men who participated in Gerardi's murder were convicted. Could the prosecution of Gerardi's murderers change things?

I think the wheels of justice regarding Guatemala are turning, slowly but inevitably. The new president has promised to reopen the Gerardi case. The courts in Spain are proceeding, however slowly, with their case against some of the Guatemalan generals, hopefully, eventually, including Ríos



In *The Art of Political Murder*, Guatemalan-American author Francisco Goldman chronicles the 1998 murder of progressive bishop Juan Gerardi and the subsequent trial.

JERRY BAUER

Montt. The new U.N. commission against clandestine groups is about to open shop in Guatemala, and some even think it might take the Gerardi case, too. And that's important, because Guatemalans need that kind of international support if they are to have any chance to take on these murderous mafias—the military-narco clandestine groups at the heart of power. It's going to be a very difficult battle, but the precedents and examples are there.

Gen. Otto Pérez Molina, whom you implicated as possibly having participated in the conspiracy to murder Gerardi, narrowly lost the presidential election runoff in November to a left-of-center businessman, Álvaro Colom. How did you react when you heard those results?

I was thrilled that Colom won, mainly just because Pérez Molina lost. Someone close to the U.N. people told me that if Pérez Molina had won, there would have been no point in the U.N. commission even coming to Guatemala. I was happy, too, that the charges in the book against Pérez Molina became a part of the campaign, especially at the grassroots level.

How will Colom do as president of Guatemala?

I really don't know how Colom will

do. It never pays to be optimistic about a Guatemalan president. The dark forces arrayed against his best intentions, whatever they are, are just so overwhelming. But if he can run a fairly clean government, and change the substance of the country's political discourse, and let the Mayan majority finally have a real voice in governing the country, as he seems intent on doing, and if he can work with the U.N. to push some legal cases forward, then it could be a positive presidency.

How has Guatemala changed between the bloody 1980s and now?

During the war, political terror was everywhere. People weren't just afraid of speaking thoughts that might sound subversive to somebody, they were afraid of thinking them. In that sense it's freer now.

For a number of reasons, including the Internet and everyone having immigrant relatives in the United States, information flows a lot more freely. The violence isn't political anymore. Unless you are doing something like working on the Gerardi case, you don't live in fear of government deathsquads and such anymore. Instead you live in fear of a new kind of violence, anarchic, rampant, senseless, street crimes, kidnappings, gang violence, the most horrific violence against women. Or you live

in fear of your children starving to death.

***The Art of Political Murder* is your first nonfiction book. How was this project different than your novels?**

The Art of Political Murder was much easier to write than my novels. After all, you are not inventing a whole world, or having to make every decision yourself about the course of events, and you are not working intuitively—blindly and sometimes hopelessly lost—as you do when writing a novel.

The violence in the case, actual, emotional, was very real, and sometimes it would take you over, a combination of obsession, fear, violent feeling, sorrow, and I didn't always like that. It would get in the way of things, such as, sometimes, being as sweetly intimate with my wife as I wanted to be. But it was also exhilarating, and sometimes hilarious, and it was an honor to share the experience with the remarkably courageous and high-spirited people the book is most about.

It reads like a novel, especially since some of the events during the trial seem almost implausible, such as the defense's charges that a German shepherd bit Gerardi to death.

I hope it does read like a novel. The case was a real epic journey; it just seemed, as we were living it, that there was always one more obstacle to overcome, it was endless, no direction home and, like in all good legal cases, God was always in the details. So you had to narrate it like that: step-by-step, solving problems one at a time, letting the sudden twists and surprises occur as they did, and so on.

Does your home in Mexico work as a thematic bridge between Guatemala and the United States, given that your books use those two places as dual settings?

I've always considered Mexico City my neutral zone, perfectly placed between the two locations of my, at least, writerly preoccupations. That's changing now. I need to write about Mexico now. I don't know if that means I will have to move. Hope not, I love Mexico City.

What's next on your plate?

What I'm writing now is still secret. I am going to take a break from Guatemala for a while, but I'll be back. There are too many stories of Guatemalan death and life that I still need to try and get at. ■

dear readers,

On these pages we acknowledge the members of the *In These Times* community who helped publish this magazine in 2007.

We commemorate those who have passed.

We express gratitude to our board of directors for its devotion.

We recognize the *In These Times* Publishing Consortium for holding ITT as a public trust.

We commend the Communitas Charitable Trust for helping to develop InTheseTimes.com.

We thank the Puffin Foundation for funding the scores of outstanding writers whose words fill these pages.

And we tip our hat to the thousands of readers who give above and beyond the cost of their subscription.

On behalf of everyone here at 2040 North Milwaukee, here's to you for making this 31st anniversary possible!

Cheers,



Joel Bleifuss
Publisher & Editor

P.S. If we inadvertently left your name off this list, e-mail me at jbleifuss@inthesetimes.com, and we will include it in our March issue.

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BY SILJA J.A. TALVI

Tupperware and Tasers

The SUV-driving, stun-gun-wielding housewife is coming to a suburb near you. In Arizona, Tupperware-style Taser parties have become all the rage, thanks to the enterprising savvy of saleswoman Dana Shafman, founder of Shieldher Inc.

Shafman's little soirees aren't just popular, they're also highly profitable. Over light conversation and snacks, women are invited to handle the palm-sized C2, the latest (and smallest) civilian version of a Taser stun gun. The C2 is also the most affordable Taser to hit the market, starting at \$299.99—with an option to upgrade the C2 with a \$50 laser beam to better the chances of debilitating a human target. Because practice makes perfect, the women in attendance are encouraged to grab a C2 and take turns shooting at a cardboard cutout representing a male attacker.

"I felt that we have Tupperware parties and candle parties to protect our food and house, so why not have a Taser party to learn how to protect our lives and bodies?" Shafman told the *Arizona Republic*. Shafman projects that the parties will be held in at

least a half-dozen other states by March.

The C2 comes in four iPod-matching metallic colors: "Hot pink" has been the top seller since the weapon hit the consumer market last summer. While the company admits that men, too, might benefit from carrying the mini-stunner, Taser's marketing strategy has been directed at the phobic and fashion-forward female consumer.

Last July, the *New York Times* previewed the C2's debut with a feature article titled, "Feeling Secure With a Little Shocking Pink." Accompanying the article was a glamour-action photo of Taser International President Kathy Hanrahan with the weapon in hand. Hanrahan made no bones about the C2's direct marketing strategy and conceptual design: "It's a woman's product," she said.

In a number of promotional media appearances and

technology conference presentations since that time, Taser officials have even gone so far as to dub the C2 the “Lady Taser.”

“When you’re going out to a nightclub or you have the device clipped onto your belt at a business meeting, you don’t want to look like Dirty Harry,” company spokesperson Steve Tuttle told ABC News last summer.

In what could have easily passed as a terribly tacky infomercial, ABC News ran a December 2007 “Money Matters” segment praising the palm-sized stunner as an exciting holiday gift for women, in which anchor Laura Marquez described the C2 as a “Taser with a softened look.”

Despite a plethora of headline-making news over the course of the year—including the notorious “Don’t Tase Me, Bro” incident during Sen. John Kerry’s (D-Mass.) University of Florida speech in September 2007—ABC News showcased Taser’s own video montage of alleged male criminals being stunned into submission. For the ABC News segment, the network opted for a large-font text banner to accompany the images: “Tasers Sold to Protect Women.”

None of those video snippets actually depicted women being attacked, and the network’s Taser-friendly sloganeering (and Marquez’s ridiculously soft-balled questions) didn’t seem coincidental in the least.

The Scottsdale, Ariz., corporation has spent years honing a relentless public relations campaign—complete with a Rolodex of at-the-ready medical, legal and law enforcement stun technology “experts”—that seems to have convinced many news outlets that Taser’s word is gospel truth.

The success of Taser’s C2 sales over the past several months can largely be attributed to the company’s aggressive strategy to play on women’s worst fears of assault and rape. While the C2 might look cute, it is utterly debilitating—a serious step up, as it were, from older self-defense products like mace and pepper spray.

Just as with the “professional” model, a triggered mini stun gun shoots out two, thin nitrogen-fueled wires with dart-like tips that penetrate clothing and embed in the skin. These darts are juiced to deliver an incapacitating 50,000 volts of electricity for 30 uninterrupted seconds—ostensibly to allow the Taser-wielder to make a quick getaway.

Aside from the various bells and whistles that would appeal to paramilitary-minded weapon owners, the key difference between C2s and the much more costly civilian and “professional” versions of X-26s is that they enable the “stunner” to shock the “stunnee” over and over again.

People who have been tased often liken the experience to the sensation of dying—something that does not seem like an exaggeration in light of at least 250 Taser-related deaths since 2001.

Whether we’re talking about cutesy mini-stunners, or their beefed-up big brothers, Taser has become a household name and a veritable pop culture phenomenon rooted in either opposition or celebration of this futuristic weapon that was once but a gleam in Gene Roddenberry’s creative eye. (Unlike the Taser, the sci-fi Star Trek “phaser” could specifically be set to a specific stun level, all the way up to a deadly jolt.)

Devoted Trekkies with “Set Phasers to Stun!” T-shirts were likely never the cool kids on the block, but “Don’t Tase Me, Bro” bumper stickers and T-shirts are a different story. Some are wearing the shirts to express their outrage toward the prevalence of Tasers in use by “campus cops” on college, high school, middle school and even elementary school grounds—as well as in political demonstrations as a terrifying method of crowd control.

But you might be just as likely to spot a clean-cut fraternity member wearing the same shirt—only to find that he hasn’t given a thought as to whether being hit repeatedly with 50,000 volts of electricity should be considered an act of torture.

There’s been no shortage in the blogosphere of people poking fun of Andrew Meyer’s appeals, moans and screams that accompanied the University of Florida incident. Indeed, sites like www.dont-tasemebro.com are further proof of the ways in which even the most serious issue can be trivialized and depleted of its power. Why pass up a perfect opportunity to make a bit of money (\$29.95 per T-shirt, to be exact) on a popular slogan, even if it originated in the pleading moments before the sickening crack-snap-sizzle sound of a Taser shooting electri-

fied darts into a person’s skin?

Taking outright pleasure in the pain the weapon can inflict, the popular TV series “24” seems to have developed a love affair with this kind of weaponry. At least two “terrorists” have been stun-gunned thus far, in addition to Abu Ghraib-style electrical torture during interrogations.

Even low-budget Asian martial arts movies shown in the United States feature the occasional stun gun stunt, alongside more familiar, high-flying punches and kicks.

People who have been tased often liken the experience to the sensation of dying—something that does not seem like an exaggeration in light of at least 250 Taser-related deaths in the United States since 2001, according to Amnesty International. The U.N. Committee Against Torture recently determined that the use of Tasers “causes acute pain, constituting a form of torture.”

Until recently, reports of Taser-related incidents and deaths have tended to involve men, typically described by police as having behaved in deranged and/or dangerous ways before being stunned.

But what once amounted to a few reported Taser encounters per month has now taken the shape of *daily* accounts throughout North America, including several high-profile deaths in Canada.

Last September, the death of a non-English-speaking Polish immigrant at the hands of inexplicably aggressive, Taser-wielding Royal Canadian Mounted Police at the Vancouver Airport drew international outrage when a bystander’s cell phone footage thwarted initial “official” efforts to downplay what had happened.

Increasingly, people being stunned aren’t just people with limited English-speaking skills; they’re also children, teenagers, the elderly and the disabled. In fact, with astonishing frequency, police are using Tasers on women and girls.

In November 2007, for instance, Chicago police tased an 82-year-old woman with dementia.



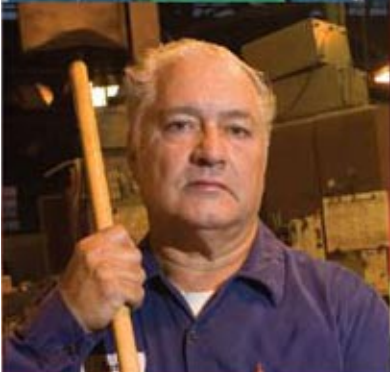
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Last June, a homeless woman died outside an Oklahoma City shelter after she was thrown on the ground, handcuffed by police and *then* tased while incapacitated.

In Green Cove Springs, Fla., the family of an agitated 56-year-old wheelchair-bound woman filed suit last February after watching police shock her 10 times in response to their request for assistance. Her death was ruled a homicide.

Ohio has become an unexpected epicenter of the use of Tasers against women and girls. Last May, Crystalynn Coker, a 17-year-old African-American student was tased in Monroe, Ohio, when she refused to back down from a racist verbal barrage by a fellow student and staged her own form of a one-person, nonviolent sit-in after her teacher ordered *her* out of the classroom. According to Coker and her family, a police officer was called in without any justifiable cause to physically remove her from the room. Once the officer pulled Coker from her chair, he handcuffed and tased her three times without any explanation before, during

or after the attack.

In the town of Warren, Ohio, footage emerged in September 2007 of a policeman shocking 38-year-old Heidi Gill repeatedly. In the video, Gill is shown crawling, moaning and pleading desperately as she tries to get away from the apparently trigger-happy officer. Footage shows Officer Rich Kovach handcuffing and dragging Gill's body around during much of the ordeal, which is now under investigation.

One of the strangest overreactions involving Taser use occurred in, of all places, a Best Buy electronics store in Daytona Beach, Fla. Amid frenetic rush of pre-Christmas shoppers, 35-year-old yoga instructor Elizabeth Beeland had been waiting in line to purchase a CD player with her credit card. When her cell phone rang, Beeland stepped outside the store's noisy environment to have a brief conversation. Although she left both the CD player and credit card with the cashier, the clerk somehow concluded that Beeland might be using a stolen card, and called police officer Claudia Wright over

to handle the situation. Beeland took umbrage at the accusation, and raised her voice. Wright threatened to arrest her if she didn't stop yelling. In what has become an increasingly familiar scenario—the rapid escalation from an initial encounter with a civilian, culminating with the infliction of horrendous pain, sometimes within just a few seconds—Wright opted to use her X-26 over any number of more logical alternatives. On the surveillance tape, Beeland is seen trying to back away from the Taser-wielding cop, then falling to the floor in obvious pain after the stun gun wires pierced her flesh.

Worse yet, Tasers have already begun to be used in robberies, domestic violence and hostage situations.

Among other disturbing reports, a serial rapist in Modesto, Calif., kidnapped and brutally raped a 27-year-old woman in August 2006 after stunning her with a Taser.

For the sake of those schmooze, stun and sales parties, they might do well to keep this kind of information under a tightly sealed Tupperware lid. ■

[art space]



PECKERWOOD POLITICS

Klu Klux Klan hoods, confederate flags, nooses, whiskey bottles and black face are all prominent images in Travis Somerville's charged mixed-media paintings, drawings and sculpture installations. A solo exhibit of his work, "Authentic Facsimiles of a Nation," is on display at the Caren Golden Fine Art Gallery in New York City until Feb. 9.

Somerville, who was raised in the South, "attempts to reconcile his religious upbringing with the racial turmoil of his past," according to the gallery. He "picks at these old wounds" and "attempts to unearth the complexities and contradictions in post-antebellum society rather than condemn it."

For more information, visit www.carengoldenfineart.com.

—Chelsea Ross

Portrait of the Awkward Artist

By Achy Obejas

If Pablo Helguera's *The Boy Inside the Letter* (Jorge Pinto Books, 2007) had adopted a subtitle, it would have to be "Longing: The Making of an Artist." As it stands, the title is enigmatic, never hinting at the great waves of yearning inside. It suggests youth and writing—but there's something vaguely uncomfortable about it. Is the "letter" a correspondence, a nod to a young man whose true self is hidden in some sort of written exchange? Or is the boy inside an alphabetic letter, a mysterious glyph to be deciphered?

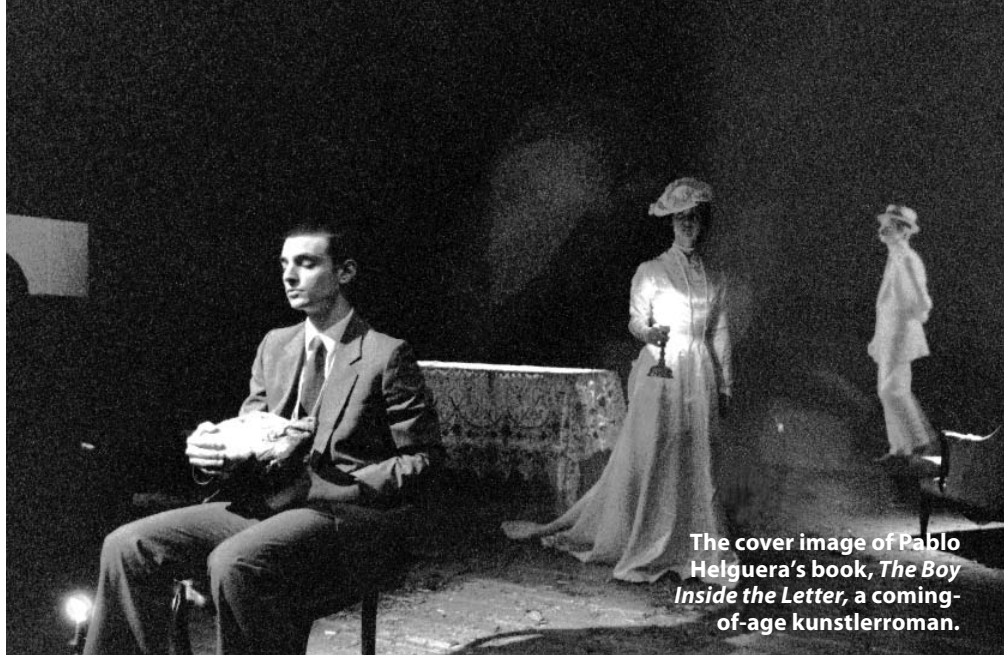
As it turns out, it's both. It's a correspondence that Helguera writes as a young man to his older self—a symbolic universe itself to be decoded and appreciated by both the writer and his readers. And what they reveal is a coming-of-age story, a *kunstlerroman*, an artistic emergence.

The arc of *The Boy Inside the Letter* is novelistic, with its action almost entirely internal. But what is most striking about Helguera's story is its savage vulnerability. It is as much about dislocation, unrequited love and the pursuit of identity as it is about the formation of a creative soul.

Helguera, a Mexican-born visual and performance artist, is director of Adult and Academic Programs at the Museum of Modern Art in New York. His own work ranges from experimental symposiums, recordings, exhibition audio-guides, publications to ambulatory museums, and it takes on subjects as varied as the Shakers, dead languages, Latin American soap operas and unrest.

In interviews, Helguera has suggested *The Boy Inside the Letter* is nonfiction. Much—though not all—of the manuscript consists of diary entries, translated from Spanish, from his years in art school (both high school and college), from when he was 17 to 22. These entries document his journey from Mexico City to Chicago to Barcelona, back to Chicago and, at least briefly, to Mexico City again.

His story begins in Mexico, when as an adolescent in his comfortable middle-class home, he explores his family's myths, learns to love classical music, and finds himself as comfortable with writer Octavio Paz as with Spider-Man:



The cover image of Pablo Helguera's book, *The Boy Inside the Letter*, a coming-of-age *kunstlerroman*.

As He grows up, (his brother) Nacho starts to teach him chess and they make up imaginary tournaments using Ken action figures as imaginary contestants that they rename Chejov and Igor (as in Igor Stravinsky). Every now and then, national figures emerge in the tournaments, including Juan Rulfo, Alfonso Reyes and El Poeta. All these writers, composers and artists are larger-than-life characters, and like superheroes, they never die. He ends up naming them *Los Inmortales*.

Eventually, he enrolls in an art school, surrounded by other young art aspirants, and falls madly, irrevocably in love. But his efforts are futile. No matter what he does, Fuensanta rejects him, each time more harshly. But Helguera is undaunted, compelled. He sends her a rose, puts letters in her bag, regales his friends with a constant monologue about her, has a pal scream her name in a school courtyard and sends her more flowers. Were he not so utterly romantic, so tragic and sentimental—or perhaps merely in the United States instead of Mexico—his behavior could be considered dangerous.

"Love is unfair," he writes, "a very strong passion doesn't always generate a similar passion but instead it can generate rejection, a kind of rejection that could generate more passion."

He knows he's being self-destructive but he can't help it. He keeps at it, even when he knows his actions will only guarantee catastrophe. It's his own perverse way of being true to himself.

Some variation of this will play out with nearly every girl he encounters, but refreshingly, and perhaps just plain honestly, Helguera doesn't get the girl. He stumbles through these one-sided affairs with the

same intensity as he attacks his ambitions to be an artist. He wants desperately to say something, to have a message. But what?

In Mexico, he is afraid to be trapped in the kind of art pedagogy that's so respectful of the country's glorious past that it can barely nod at the future.

At the Art Institute in Chicago, Helguera is drawn to political art but repulsed by its lack of formal technique, by its literalness and raw qualities. There he's generally viewed as a Mexican but perceived as alien—Chilango one minute, European the next. He's even vaguely French when working at the Mexican Fine Arts Center Museum in Chicago's Pilsen neighborhood. Crazily, he learns about Mexican art from a white, Wisconsin-bred professor who's encyclopedic about the subject. It's the same man, Robert Loescher, who suggests the title of the future book and that, perhaps, he might not be a painter. Helguera is unnerved. Maybe the problem is Chicago. So he goes to Barcelona. But things don't gel there either. He misses Chicago, the Art Institute, Pilsen.

All along, Helguera's writings reveal something quite wonderful between the youthful anxieties, unvarnished ambitions, sentimentality and angst about art and meaning. This is how a person emerges, not exactly through triumphs but through the way he or she approaches challenges and contends with failures.

We may read something from our past, see a photograph or remember a crush, and cringe with embarrassment. We may desire to push it away, to deny it ever had anything to do with us, but Helguera does the opposite: He embraces

these awkward moments, these childish thoughts, these naked moments of doubt and fear and adolescent melodrama. The result is charming and revelatory. ■

DIGITAL MEDIA

Save the Dramatic Chipmunk

By Pat Aufderheide

WHEN COLLEGE KIDS make mash-ups of Hollywood movies, do they violate the law? Not necessarily, according to a study Peter Jaszi and I completed at American University. In fact, those funny little videos you watch when you're supposed to be working—if you've missed "Dramatic Chipmunk," the best five seconds on the Internet ever (Yes, Google it now)—are important harbingers of a more participatory media culture. Defending the rights of their creators to use copyrighted material without permission may be defending the future of media for political and social action, as well.

What we can do and say in online video matters because it has been mainstreamed. By May 2007, nearly three-quarters of American Internet users were watching online videos for 2.5 hours a month—about two short videos a day, according to the measurement company comScore.

Perhaps the most-viewed online video, "The Evolution of Dance," has been watched almost 70 million times.

Technological possibility is triggering a creative tsunami, as scholar Henry Jenkins has noted. Yesterday's fan culture is now today's popular culture. Look at the many homemade variations on the "Saturday Night Live" appearance by Justin Timberlake singing "Dick in a Box" ("Box in a Box," "Puppet Dick in a Box").

Online video has also become the latest marketing tool for business enterprises. In an article in the *Wall Street Journal*, the maker of a bulletproof backpack for children claims to have sold a thousand packs within weeks of launching his homemade YouTube video.

Political online videos, for their part, sometimes play decisive roles in political battles. Consider the "macaca" video that derailed former Sen. George Allen.

As with the rest of digital culture, new online videos often quote copyrighted material, which many makers assume is

illegal. That's because they confuse this kind of use with peer-to-peer file sharing, in which people take copyrighted material without altering it. But when such material is taken to make new work, it's often legal, under what is known (though not widely enough) as "fair use."

Fair use, an important part of copyright law for more than 150 years, is a right to reuse copyrighted works without a license when the value to society is greater than the value to the copyright owner.

Copyright law needs fair use; without it, granting ownership right would be granting censorship right. Copyright would violate the First Amendment because owners could control what anyone said about existing culture. As the length of copyright terms have extended, effectively eliminating public domain material that have outlived copyright, fair use has become a way to use copyrighted material without permission.

But what exactly is fair use? It was deliberately kept vague in order to let community practice define it. In some creative communities, fair use is simple. Documentary filmmakers actually created a Statement of Best Practice in Fair Use (available at centerforsocialmedia.org/fairuse), which has reduced ambiguity and enabled the making of films like *This Film Is Not Yet Rated*, which uses 134 movie clips without permission.

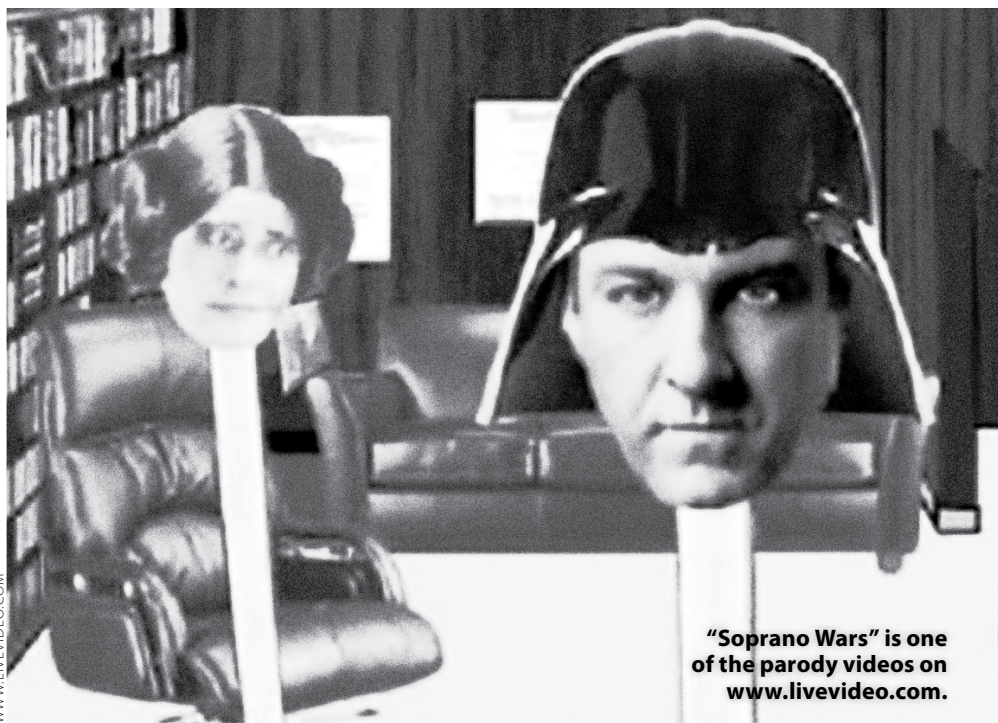
In online video, community practice isn't even established, much less codified.

But that's not stopping copyright holders from trying to kill it, possibly by accident. Content providers worried about piracy and theft, like NBC Universal and Viacom, are working out deals with online video providers like Veoh and MySpace, for specialized filters and software to identify copyrighted material. These filters will "take down" videos that are copies of copyrighted material. The trouble is, nobody has figured out how to protect online videos that use copyrighted material under fair use. As Fred von Lohmann, a lawyer with the Electronic Frontier Foundation, says, it's like going tuna fishing without a dolphin-safe net.

Until now, no one has recognized the enormity of the problem of accidentally suppressing legal work. Our study, "Recut, Reframe, Recycle: Quoting Copyrighted Material in User-Generated Video," sheds light on the size of the problem.

We show that many online videos use copyrighted material in one of nine ways that are eligible for fair use consideration. (We weren't saying that they were all examples of fair use, only that these kinds of uses can be seen—and in some cases have been widely recognized—as fair use.) Consider:

- Mashing up news images of George Bush and Tony Blair, using a



"Soprano Wars" is one of the parody videos on www.livevideo.com.

soundtrack to make them appear to be sharing a love song; it uses existing work to offer a political critique.

- *Ten Things I Hate about Commandments*, which represents film classics like *The Ten Commandments* and *Ben-Hur* as a teen movie; it offers cultural commentary.
- The mom who films her child dancing to a popular song includes copyrighted material (the song). The point of the video is the child's dance.

The study found six other uses of copyrighted materials that deserve consideration under fair use. These span today's online videos, from remixes and mash-ups to diaries to "rescue" of video, such as Stephen Colbert's White House Correspondents' Dinner speech.

We need access to the copyrighted material that composes our existing culture if we are going to make new culture and comment on the old.

To nurture new culture online, fair use must be recognized and easier to use. New makers who know they have the right of fair use must defend it from misguided and carelessly written technological tools that endanger it.

It's easy to look at "Dramatic Chipmunk" and dismiss this new cultural expression as trivial. But that would be a mistake. Today's makers—feckless, impudent, brash and extravagant—are the pioneers of an emerging media economy and society. They are at the bleeding edge of a world that we all hope to participate in. That's a world where we can comment, critique and create out of the culture we have, without crippling fear of irrational punishment or censorship. ■

BOOKS

Remembering Mazzocchi

By David Moberg

AS THE USE HIGH SCHOOL dropout, a fierce protagonist of workers against corporate power and a down-to-earth visionary, Tony Mazzocchi was the type of American labor leader who was all too rare over the last half of the 20th century. If he had been less rare, both the labor movement and progressive politics would be in far better shape than they are today.

Mazzocchi made his name as an advocate for workers' health—a leading figure in the passage of the 1970 Occupational Safety and Health Act and a key partner in exposing nuclear industry hazards with Karen Silkwood, who died in a mysterious accident as she was on her way to blow the whistle on her nuclear fuel-making employer.

Mazzocchi was also one of the earliest union leaders to ally with environmentalists and to raise their awareness that workers are typically the first ones at risk to environmental dangers—a perspective that important green pioneers like Rachel Carson lacked. And he was one of the few union leaders to speak out in the '50s against nuclear arms testing.

Despite his environmental credentials, Mazzocchi was above all a trade unionist. For most of his life he worked for the Oil, Chemical and Atomic Workers (OCAW), or its predecessors. But despite two close tries, he never became president of the union, partly because he was unwilling to play the conventional games of promising personal favors to other officials, and partly because he believed in running on radical principles that exposed him to Red-baiting and other fear-mongering.

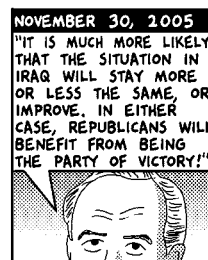
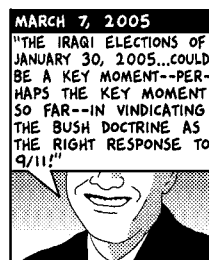
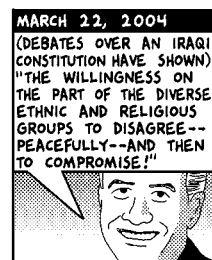
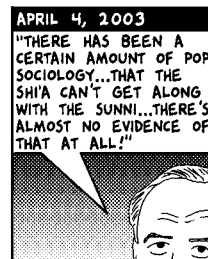
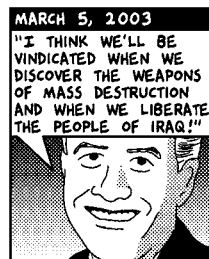
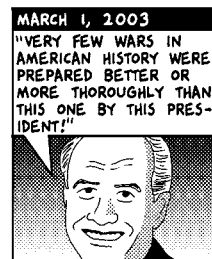
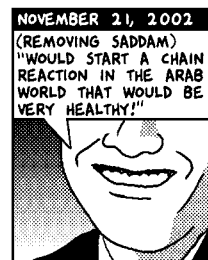
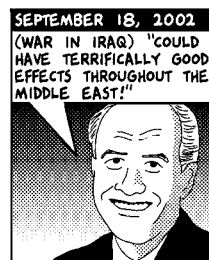
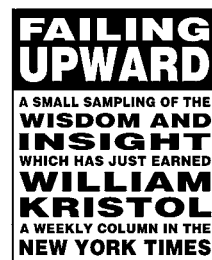
A tough negotiator and strike leader, Mazzocchi used innovative tactics, like leading the first "environmental strike" against Shell Oil, and pioneering some of the methods—such as using regulatory pressures and mobilizing non-union groups to support workers—that are now part of labor's "comprehensive campaign" arsenal. But he also espoused a vision for the labor movement that was politically broad, economically profound and radically democratic.

In *The Man Who Hated Work and Loved Labor: The Life and Times of Tony Mazzocchi* (Chelsea Green, 2007), Les Leopold admirably pulls together the many strands of Mazzocchi's life in a sympathetic narrative that also raises some criticisms and reveals personal foibles.

Leopold, a longtime friend of Mazzocchi's and director of the Labor Institute—a Mazzocchi-inspired research and education organization—roots the labor leader's career in both the New York Italian working-class family and neighborhood in which he grew up and the progressive, Depression-era politics on the fringes of Communist Party influence. And Leopold deftly links Mazzocchi's personal biography

THIS MODERN WORLD

by TOM TOMORROW



raphy to the contours of labor and political history, especially the debilitating Cold War influences on union strategy.

Mazzocchi's undogmatic socialist vision drew inspiration from the left, but rather than rely on leaders and ideologists to dictate strategy, he trusted workers, once they had the opportunity to educate themselves about issues, to make decisions about political goals. And he was pragmatic even as he pushed new ideas: While spending the last decades of his life proselytizing for a Labor Party, he argued that the party should mainly educate workers, develop political programs and give workers a new voice—rather than run candidates—until it could do so with a serious chance of winning.

For Mazzocchi, creating a book club for rank-and-file leaders in the Helena Rubenstein cosmetics local where he got his start as a leader was as important as fighting over grievances. And it was natural for him to build working relationships with community groups, environmentalists, scientists (such as environmental biologist Barry Commoner), doctors and prominent activists (such as Ralph Nader) because he recognized that they could strengthen workers' efforts and that labor's goals should go beyond simply improving pay and benefits.

Often, Mazzocchi's union opponents would attack his safety and environmental crusades as a threat to jobs. Mazzocchi argued that dangerous jobs that produce products that threaten community health and the environment should not be preserved. Workers, he believed, could be protected through what he first called a Workers Superfund—playing on the funds used to clean up toxic waste sites—and later, more appropriately, a Just Transition. Rather than extended unemployment benefits and short-term training, he proposed that displaced workers be paid to go to college (and that all workers should be entitled to paid sabbaticals).

As Leopold's title indicates, Mazzocchi—a hard worker at the union cause—disliked normal work and thought people deserved to engage in what he called “redefined work,” using their creativity to promote social change.

Ultimately, Mazzocchi thought that such fundamental change would come only by creating a working-class culture and awareness that could lead to political action on many fronts, including, but not limited to, elections. An enlightened work-

excerpt



THE IMMORTAL WITCH'S LAST LAUGH

The following excerpt is from a short story by writer and director Moisés Kaufman. The story is an anecdote from his maternal family history, and can be found in its entirety in A Memory, a Monologue, a Rant and a Prayer: Writings to Stop Violence Against Women (Villard, 2007)—a collection of stories and poetry edited by Eve Ensler and Mollie Doyle.

My grandmother was born in the Ukraine but immigrated to Venezuela before the Second World War. She told me this story:

A young Jewish woman was kidnapped by a group of Cossacks during a pogrom. They brought her into a room and held her down, deciding who would have her first.

“If you touch me I will put a curse on you,” the woman said, “I am a witch.” The Cossacks laughed. “I can prove it!” she shouted. “I can prove to you that I am a witch.”

Their leader smiled and said, “Very well. Prove it, then.”

“I am immortal,” she said, “and you cannot kill me.”

They laughed some more. “You cannot kill me. Not even if you shoot me. Try it.”

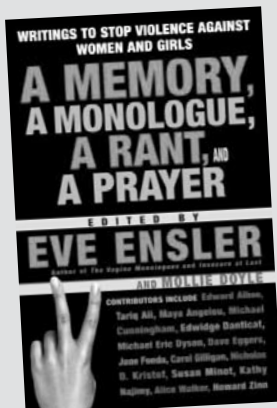
They stopped laughing and looked at her.

“Here, try it.” She pointed to her chest. “Shoot me right here. You will see that I’m immortal.” The Cossacks looked at one another but didn’t move.

“Shoot me in the heart. You will see I won’t die. And then you’ll have proof that I’m a witch.”

The leader thought for a moment, then quickly took out his pistol and shot her in the heart. The young woman fell to the floor bleeding, looked at the man who had shot her and said, “Thank you, you imbecile.”

My grandmother liked stories of heroic suicides.



er consciousness, including the ability to make key decisions about strategy and goals, was the key to progressive power.

Unlike a Mazzocchi rival for the OCAW presidency, who saw power as his ability “to pick up a phone and call any oil company executive and have a conversation,” Mazzocchi said, “I believe in building a strong fighting organization so that when you do call an oil company executive, you’re there as an equal.”

Unfortunately, Mazzocchi never got the chance to show what he could have done as a union president. Leopold vividly and engagingly details the inside stories of OCAW politics, where, although Mazzocchi eventually served as the union's secretary-treasurer, he ultimately fell short.

It's impressive how far Mazzocchi came in a union where many influences—members' well-paid jobs, a rural and/or Southern culture—pushed them in a

conservative direction. But the stories of internal politics provide insight into the obstacles to progressive leadership in even more democratic unions.

For several decades until his death in 2002, Mazzocchi crusaded for his unorthodox vision of a Labor Party that would educate first, run candidates much later. But despite the support he initially mobilized, the Labor Party ran aground: Even supportive unions felt drawn toward Democratic politics for practical reasons, leftist factionalism enfeebled organizing efforts, and the Labor Party never found a way to play the non-electoral political role he envisioned.

But Mazzocchi was right when he argued—and organized—throughout his life for the idea that workers still need some way to express more forcefully their immediate political demands and to formulate a broad vision of a better society. ■

BY TERRY J. ALLEN

Nanotech: Tiny Particles, Big Risks



NANOTECH-NOLOGY, ONE of the fastest growing industries in history, is a major threat to human health and the environment. Or not. The fact is, when it comes to nanotech, we don't have any idea

what the facts are.

Nonetheless, manufacturers are rushing ahead to add inadequately tested particles, one nanometer to 100 nanometers in size, to a wide and growing array of consumer products. A nanometer is one billionth of a meter, or the length of a fingernail as it grows in a second.

Manipulated at the level of atoms and molecules, these radical particles have fundamentally different physical, chemical and biological properties from the matter from which they were created. Benign materials may become toxic, while their nano-scale allows them to penetrate cells, even breaching the blood-brain barrier.

Currently, nanoparticles of carbon, silver, titanium, zinc and other materials are routinely incorporated into sun screens and cosmetics, sporting goods, washing machines, refrigerators, baby products, stain- and wrinkle-resistant fabrics, food, food packaging and odor-destroying products, including air fresheners and shoe liners.

In addition to "New!" and "Improved!" the technology promises enormous social good. Nanoparticles have the potential to increase the efficiency of solar panels or act as molecular sponges, absorbing toxins and reducing air pollution by, say, capturing mercury from stack emissions. Medical possibilities include precise delivery of cancer drugs and coatings that keep surgical theaters bacteria-free. Nanotech could also

revolutionize materials in electronics, optics and quantum computing.

But it could also be dangerous.

The nonprofit Consumers Union admonishes that "widespread, unregulated use of many nanoengineered materials will bring ... severe, irreversible, unintended consequences." Preliminary studies have linked them to DNA damage and unpredictable inflammatory and immune responses. Britain's Royal Society warns that nanotubes "are structurally similar to asbestos fibers." Rats exposed to nanoparticles have shown tumor-related effects, according to the journal *Particle and Fibre Toxicology*, which questions whether nanoparticles in sunscreen can cause systemic effects if absorbed through skin. Certainly, they end up in water, where early evidence suggests toxicity to fish.

By 2015, the annual global market for nano-related goods and services will top \$1 trillion, according to the National Science Foundation.

The U.S. government invested \$1.4 billion in nanotech's research and development last year. But with only 1 percent to 4 percent of that figure allocated for risk assessment, the facts essential to making public policy and personal choices are scarce.

While industry crashes forward, the Environmental Protection Agency (EPA) and the Food and Drug Administration are in a slow-motion dither over testing procedures, regulation and labeling. "By the time monitoring catches up to commerce," says Ian Illuminato of Friends of the Earth, "the damage will already have been done."

Funding and authority are likely factors in the glacial bureaucratic pace, but so, too, are agencies' relationships with industry and industry's relationship with the administration. The EPA describes nanotech as presenting "new opportunities" and "possibly unforeseen environmental

issues." "Opportunities" are a given, but dangers are euphemized as "issues" and only possible.

A new Samsung washing machine that disperses 100 quadrillion nanosilver particles per load illustrates the regulatory morass. Under the latest EPA shift, products like the washing machine don't need to prove they are environmentally safe as long as they don't claim to kill germs. In the even less regulated field of cosmetics, the FDA has no authority to require, or even access, pre-market safety data, and can act only after a public disaster.

"We are part of an experiment," says George Kimbrell, staff attorney with the nonprofit International Center for Technology Assessment. He says he hopes strong, early pressure for oversight will make "nano a window to renegotiate a social contract" that puts marketing on hold until safety is documented. "With biotech, that window came and passed." But neither blind faith in technology nor dumb panic will prop up the opening long enough to get it right this time.

We need answers based on facts:

How will we monitor, regulate, test and label nanotech?

How will nanoparticles affect workers with higher exposures?

Will the nanoparticles kill good bacteria in fish, wildlife and us?

Promote antibiotic resistance?

Will they bio-accumulate?

Trigger disease or tumors?

What will happen to the nanoparticles when the material into which they are incorporated is junked?

And what about classified information on much of the \$600 million that went to military applications?

Don't know the answers to those questions? You're in good company.

No one does. ■

CONTACT Terry J. Allen at tallen@igc.org

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The 1.9 million members of SEIU have worked hard to make candidates in the 2008 elections address the needs of working people.

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